LIBRARY
CALCUTTA

THE

BENGAL LEGISLATIVE COUNCIL

PROCEEDINGS.

(Official Report.)

WEST BENGAL LEGISLATIVE ASSEMBLY
Acc. No. 676
27 JUNE 1950
LIBRARY.

ELEVENTH SESSION.

1923.

VOLUME XI—No. 1.

(24th to 26th, 29th to 31st January and 8th and 9th February, 1923.)

CALCUTTA:
Bengal Secretariat Book Depot.
1923.

GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency the Right Hon'ble VICTOR ALEXANDER GEORGE ROBERT BULWER-LYTTON, Earl of Lytton, P.C., G.C.I.E.

MEMBERS OF THE EXECUTIVE COUNCIL.

The Hon'ble Sir BIJAY CHAND MAHTAB, K.C.S.I., K.C.I.E., I.O.M., Maharajadhiraja Bahadur of Burdwan, Vice-President, in charge of the following portfolios:—

1. Land Revenue.
2. Land Acquisition.
3. Forests.
4. Irrigation.
5. Excluded Areas.
6. European Education.

The Hon'ble Sir ABD-UR-RAHIM, Kt., in charge of the following portfolios:—

1. Judicial.
2. Emigration.
3. Immigration.
4. Jurisdiction.
5. Legislative.
6. Haj Pilgrimage.

The Hon'ble Mr. H. L. STEPHENSON, C.S.I., C.I.E., in charge of the following portfolios:—

1. Appointment.
2. Political—excluding Haj Pilgrimage.
3. Police.
4. Jails.
5. Ecclesiastical.

The Hon'ble Mr. J. DONALD, C.I.E., in charge of the following portfolios:—

1. Finance.
2. Separate Revenue.
3. Commerce and Reserved Industrial Subjects.
4. Mining.

MINISTERS.

The Hon'ble Sir SURENDRA NATH BANERJEA, Kt., in charge of the following portfolios:—

Local Self-Government and Public Health.

The Hon'ble Mr. PROVASH CHUNDER MITTER, C.I.E., in charge of the following portfolio:—

Education.

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, C.I.E., in charge of the following portfolios:—

Agriculture and Public Works.

GOVERNMENT OF BENGAL.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE COUNCIL.

PRESIDENT.

The Hon'ble Mr. H. E. A. COTTON, C.I.E.

DEPUTY-PRESIDENT.

Babu SURENDRA NATH RAY.

Secretary to the Council—C. TINDALL, C.I.E., I.C.S.

Deputy Secretary—A. M. HUTCHISON.

Assistant Secretary to the Council—K. N. MAZUMDAR.

Registrar to the Council—J. W. McKAY.

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

Addy, Babu Amulya Dhone. (Bengal National Chamber of Commerce.)
Afzal, Nawabzada K. M., Khan Bahadur [Dacca City (Muhammadan).]
Ahmed, Khan Bahadur Maulvi Emaduddin. [Rajshahi South (Muhammadan).]
Ahmed, Khan Bahadur Maulvi Wasimuddin. [Pabna (Muhammadan).]
Ahmed, Maulvi Azaharuddin. [Bakarganj West (Muhammadan).]
Ahmed, Maulvi Rafi Uddin [Jessore South (Muhammadan).]
Ahmed, Maulvi Yakuinuddin. [Dinajpur (Muhammadan).]
Ahmed, Mr. M. [Faridpur South (Muhammadan).]
Ahmed, Munshi Jafar. [Noakhali (Muhammadan).]
Aley, Mr. S. Mahboob. [Calcutta South (Muhammadan).].
Ali, Maulvi Syed Maksood. [Barrackpore Municipal (Muhammadan).]
Ali, Mr. Syed Erfan. [Nadia (Muhammadan).]
Ali, Mr. Syed Nasim. [24-Parganas Rural (Muhammadan).]
Ali, Munshi Amir. [Chittagong (Muhammadan).]
Ali, Munshi Ayub. [Chittagong (Muhammadan).]
Arhamuddin, Maulvi Khandakar. [Mymensingh West (Muhammadan).]
Azam, Khan Bahadur Khwaja Mohamed. [Dacca East Rural (Muhammadan).]

B

Band, Mr. R. N. (Indian Jute Mills Association.)
Banerjea, the Hon'ble Sir Surendra Nath. [Minister, 24-Parganas Municipal (Non-Muhammadan).]
Banerjee, Dr. Pramatha Nath. [Calcutta East (Non-Muhammadan).]
Banerjee, Rai Bahadur Abinash Chandra. [Birbhum (Non-Muhammadan).]
Barma, Rai Sahib Panchanan. [Rangpur (Non-Muhammadan).]
Barton, Mr. H. (Anglo-Indian.)
Basu, Babu Jatindra Nath. [Calcutta North (Non-Muhammadan).]
Bhattacharji, Babu Hem Chandra. (Nominated Non-official—Labouring Classes.)
Birley, Mr. L. (Nominated Official.)
Bose, Mr. S. M. [Mymensingh East (Non-Muhammadan).]

C

Carey, Mr. W. L. (Indian Mining Association.)
Chaudhuri, Babu Kishori Mohan. [Rajshahi (Non-Muhammadan).]
Chaudhuri, Babu Tankanath. [Dinajpur (Non-Muhammadan).]

Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman. [Bogra (Muhammadan).]
Chaudhuri, Maulvi Shah Muhammad. [Malda *cum* Jalpaiguri (Muhammadan).]
Chaudhuri, Rai Harendranath. [24-Parganas Rural North (Non-Muhammadan).]
Chaudhuri, Sir Asutosh. [Bogra *cum* Pabna (Non-Muhammadan).]
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur. [Minister, Mymensingh East (Muhammadan).]
Choudhury, Khan Bahadur Maulvi Rahmatjan. [Faridpur North (Muhammadan).]
Chowdhury, Maulvi Fazlal Karim. [Bakarganj North (Muhammadan).]
Clarke, Sir Reginald. (Expert, Nominated.)
Cohen, Mr. D. J. [Calcutta South Central (Non-Muhammadan).]
Colvin, Mr. G. L. (Bengal Chamber of Commerce.)
Crawford, Mr. T. C. (Indian Tea Association.)
Currie, Mr. W. C. (Bengal Chamber of Commerce.)

D

Das, Babu Bhismadev. (Nominated Non-official—Depressed Classes.)
Das, Mr. S. R. [Calcutta North-West (Non-Muhammadan).]
Das Gupta, Rai Bahadur Nibaran Chandra. [Bakarganj North (Non-Muhammadan).]
De, Rai Bahadur Fanindralal. [Hooghly *cum* Howrah Rural (Non-Muhammadan).]
Deare, Major-General B. H. (Nominated Official.)
DeLisle, Mr. J. A. [Dacca and Chittagong (European).]
Dey, Mr. G. G. (Nominated Official.)
Donald, the Hon'ble Mr. J. (Member, Executive Council.)
Donovan, Mr. J. T. (Nominated Official.)
Doss, Rai Bahadur Pyari Lal. [Dacca City (Non-Muhammadan).]
Dutt, Mr. Ajoy Chunder. [Bankura East (Non-Muhammadan).]
Dutt, Rai Bahadur Dr. Haridhan. [Calcutta North Central (Non-Muhammadan).]
Dutta, Babu Annada Charan. [Chittagong (Non-Muhammadan).]
Dutta, Babu Indu Bhushan. [Tippera (Non-Muhammadan).]

E

Emerson, Mr. T. (Nominated Official.)

F

Faroqui, Mr. K. G. M. [Tippera (Muhammadan).]
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]
French, Mr. F. C. (Nominated Official.)

G

Ghatak, Rai Bahadur Nilmani. [Malda (Non-Muhammadan).]
Ghose, Mr. D. C. [24-Parganas Rural South (Non-Muhammadan).]
Ghose, Rai Bahadur Jogendra Chunder. (Calcutta University.)
Goode, Mr. S. W. (Nominated Official.)

H

Haq, Maulvi A. K. Fazl-ul. [Khulna (Muhammadan).]
Haq, Shah Syed Emdadul. [Tippera (Muhammadan).]
Hornell, Mr. W. W. (Nominated Official.)
Huntingford, Mr. G. T. (Nominated Official.)
Huq, Maulvi Ekramul. [Murshidabad (Muhammadan).]
Hussain, Maulvi Md. Madassur. [Burdwan Division-North (Muhammadan).]

J

James, Mr. R. H. L. Langford. (Indian Jute Mills Association.)
Janah, Babu Sarat Chandra. [Midnapore South (Non-Muhammadan).]

K

Karim, Maulvi Fazlal. [Bakarganj, South (Muhammadan).]
Khaitan, Babu Devi Prosad. (Nominated Non-official.)
Khan, Babu Debendra Lal. [Midnapore North (Non-Muhammadan).]
Khan, Maulvi Hamid-ud-din. [Rangpur East (Muhammadan).]
Khan, Maulvi Md. Rafique Uddin. [Mymensingh East (Muhammadan).]
Khan, Mr. Razaur Rahman. [Calcutta North (Muhammadan).]
Khan Chaudhuri, Khan Bahadur Maulvi Md. Ershad Ali. [Rajshahi North (Muhammadan).]

L

Lang, Mr. J. (Nominated Official.)
Law, Raja Reshee Case. (Bengal National Chamber of Commerce.)

M

Maharajadhiraja Bahadur of Burdwan, the Hon'ble. (Member, Executive Council.)
Makramali, Munshi. [Noakhali (Muhammadan).]
Mallik, Babu Surendra Nath. [Calcutta South (Non-Muhammadan).]
Marr, Mr. A. (Nominated Official.)

McAlpin, Mr. M. C. (Nominated Official.)
Mitra, Rai Bahadur Mahendra Chandra. [Hooghly Municipal (Non-Muhammadan).]
Mitter, the Hon'ble Mr. P. C. (Minister, Presidency Landholders.)
Moitra, Dr. Jatindra Nath. [Faridpur North (Non-Muhammadan).]
Morgan, Mr. G. (Bengal Chamber of Commerce.)
Muir, Mr. R. H. (Bengal Chamber of Commerce.)
Mukharji, Babu Satish Chandra. [Hooghly *cum* Howrah Rural (Non-Muhammadan).]
Mukherjee, Babu Nitya Dhon. [Hooghly Municipalities (Non-Muhammadan).]
Mukherji, Professor S. C. (Nominated Non-official—The Indian Christian Community.)
Mukhopadhaya, Babu Sarat Chandra. [Midnapore South (Non-Muhammadan).]
Mullick, Babu Nirode Behary. [Bakarganj South (Non-Muhammadan).]

N.

Nakey, Mirza Muhammad Ali. [24-Parganas Municipal South (Muhammadan).]
Nasker, Babu Hem Chandra. [24-Parganas Rural Central (Non-Muhammadan).]

P

Pahlowan, Maulvi Md. Abdul Jubbar. [Mymensingh West (Muhammadan).]
Parrott, Mr. Percy.
Poddar, Babu Keshoram. (Bengal Marwari Association.)
Prentice, Mr. W. D. R. (Nominated Official.)

R

Raheem, Mr. Abdur. (Nominated Non-official.)
Rahim, the Hon'ble Sir Abd-ur-. (Member, Executive Council.)
Raikat, Mr. Prasanna Deb. [Jalpaiguri (Non-Muhammadan).]
Rauf, Maulvi Shah Abdur. [Rangpur West (Muhammadan).]
Ray, Babu Bhabendra Chandra. [Jessore North (Non-Muhammadan).]
Ray, Babu Surendra Nath. [Deputy-President, 24-Parganas Municipal South (Non-Muhammadan).]
Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)
Ray, Rai Bahadur Upendra Lal. (Chittagong Landholders.)
Ray Chaudhuri, Babu Brojendra Kishor. (Dacca Landholders.)

Ray Chaudhuri, Mr. Krishna Chandra. (Nominated Non-official—Labouring Classes.)
Ray Choudhury, Raja Manmatha Nath. [Mymensingh West (Non-Muhammadan).]
Rishi, Babu Rasik Chandra. [Noakhali (Non-Muhammadan).]
Roy, Babu Jogendra Krishna. [Faridpur South (Non-Muhammadan).]
Roy, Babu Jogendra Nath. [Dacca Rural (Non-Muhammadan).]
Roy, Babu Nalini Nath. [Jessore South (Non-Muhammadan).]
Roy, Maharaja Bahadur Kshaunish Chandra. [Nadia (Non-Muhammadan).]
Roy, Mr. Bijoyprosad Singh. [Burdwan (Non-Muhammadan).]
Roy, Mr. G. N. (Nominated Official.)
Roy, Mr. J. N. (Nominated Official.)
Roy, Mr. Tarit Bhusan. (Bengal Mahajan Sabha.)
Roy, Rai Bahadur Lalit Mohan Singh. (Burdwan Landholders.)
Roy, Raja Maniloll Singh. [Burdwan (Non-Muhammadan).]
Roy Chaudhuri, Babu Sailaja Nath. [Khulna (Non-Muhammadan).]

S

Salam, Khan Bahadur Maulvi Abdus. [Jessore North (Muhammadan).]
Sarkar, Babu Jogesh Chandra. [Rangpur (Non-Muhammadan).]
Sarkar, Babu Rishindra Nath. [Bankura West (Non-Muhammadan).]
Sinha, Babu Surendra Narayan. [Murshidabad (Non-Muhammadan).]
Skinner, Mr. H. E. (Bengal Chamber of Commerce.)
Stark, Mr. H. A. (Anglo-Indian.)
Stephenson, the Hon'ble Mr. H. L. (Member, Executive Council.)
Stuart-Williams, Mr. S. C. (Nominated official.)
Suhrawardy, Dr. A. [Dacca West Rural (Muhammadan).]
Suhrawardy, Dr. Hassan. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Suhrawardy, Mr. Huseyn Shaheed. [Burdwan Division South (Muhammadan).]

T

Travers, Mr. W. L. [Rajshahi (European).]

V.

Villiers, Mr. F. E. E. [Presidency and Burdwan (European).]

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Eleventh Session.)

VOLUME XI—No. 1.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 24th January, 1923, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 102 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

Mr. F. E. E. VILLIERS.

Appointment of Panel of Chairmen.

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): GENTLEMEN OF THE COUNCIL,—In accordance with the provisions of rule 3 of the Bengal Legislative Council Rules, the following members are nominated to form a panel of four chairmen:—

Sir Asutosh Chaudhuri,
Mr. R. H. L. Langford James,
Maulvi A. K. Fazl-ul Haq,
Kumar Shib Shekhareswar Ray.

Unless otherwise arranged, the senior member among them present in the above order will preside over the deliberations of this Council in my absence or in the absence of the Deputy-President.

Death of present and past members of Council.

Mr. PRESIDENT: GENTLEMEN OF THE COUNCIL,—It has been the practice to make reference from the chair to the losses sustained by this Council in the death of present and past members. Since the last meeting, the list has been unusually heavy. On this occasion, the first name that demands notice is that of our late friend and colleague, Rai Radha Charan Pal Bahadur, who died on the 9th December at the age of 57. He was, as we know, the only son of the late Rai Kristo Das Pal Bahadur and was a Municipal Commissioner for a great number of years, worthily following in his father's footsteps as an energetic and independent representative of the ratepayers of the Corporation. He represented the Corporation in the Council during the Lieutenant-Governorship of Sir Andrew Fraser in 1906—08, and again in 1908-09 during the Lieutenant-Governorship of Sir Edward Baker. He returned to the Council in 1912 and served until 1915, and again during 1916—20 during the Governorships of Lord Carmichael and Lord Ronaldshay, as the representative of the Ward Commissioners of the Corporation. From 1921, he represented a Calcutta constituency on this Council. He was also on the Board of the Calcutta Improvement Trust since 1912, was connected with a large number of public institutions and helped largely in propaganda work for the raising of war loans. I think we may justly describe him as the public orator of the Corporation and he was certainly a very great authority on all municipal affairs. He took the greatest possible interest in the discussions on the Calcutta Municipal Bill in the Select Committee, of which he was a member; and he was present, as usual, at the meeting of the Select Committee in the Town Hall on the morning of December, the 8th, and attended the Corporation meeting on that afternoon. He was suddenly taken ill and his death resulted from heart-failure on the following day. He died literally in harness. The Presidency has lost a devoted and hard-working public man; and I think I may say that every member of the Corporation has lost a friend—a loss which they can very ill spare. I remember well the cordial and hearty welcome he extended to me on the first occasion that I took the chair, and it was a real pleasure to me to renew acquaintance with one whom I had known for nearly a quarter of a century ago. I personally feel his loss very acutely.

We have also to mourn the death of the veteran Raja Peary Mohan Mukherji who died not many days ago at the age of 82. He was nominated to the Bengal Council as long ago as December, 1879, and remained a member of the Council until 1881. He then served on the Viceroy's Legislative Council where he took the place of Rai Kristo Das Pal Bahadur. In 1907 he was again nominated to the Bengal Council, upon this occasion as a representative of the British Indian Association. Of that body he was the President for many years and

was recognized as an authority upon all zamindari questions. The title of Raja and the distinction of Companion of the Star of India were conferred upon him in 1887. He again is one whose loss will be mourned by a great many members of the Council and, if I may say, he was also one whom I was privileged to call a personal friend. We greatly regret his loss but we rejoice to think that the life which came to a close was so full of public service in every capacity.

We have next to chronicle the death of Babu Ambika Charan Majumdar who died on the 29th December, 1922, at the age of 72. He was Chairman of the Faridpur municipality and Vice-Chairman of the district board for a number of years and represented the district boards of the Dacca division in this Council during the Lieutenant-Governorship of Sir Andrew Fraser in 1904—06. During the Governorships of Lord Carmichael and Lord Ronaldshay he represented the municipalities of the Dacca division in the Council in 1916—19, when he had to vacate his seat owing to ill-health. He retired five years ago from the public life of Bengal, and I remember that not many days after I landed in this country I received from him a most pathetic letter of welcome written from his sick bed which I value extremely. He was, if I may say so, one of the leaders pre-eminently, of public opinion in Bengal and I think there was hardly a public movement during—shall I say—almost half a century in which he did not take a leading and strenuous part.

Raja Kishori Lal Goswami, who died on the 5th January at the age of 57, was a member of this Council in 1910 when he represented the municipalities of the Burdwan division. He was immediately afterwards appointed a member of the Executive Council during the Lieutenant-Governorship of Sir Edward Baker, and continued in that post until 1912. He was Chairman of the Serampore municipality for a number of years and by a strange and sad coincidence he was about to sail for England where his younger son is being educated, when he died of heart-failure. He was created a Raja in 1910.

The last name in the list is that of Sir Charles Kesteven, who was Solicitor to the Government of India and subsequently Solicitor to the Government of Bengal, an appointment he held up to the time of his death. When the Amusements Tax Bill was under discussion in the Council, he was nominated an expert member and he largely assisted the Government in connection with the provisions regarding betting on the race-course.

The Council will, in accordance with precedent, permit me to make these references to their deaths. It is quite clear that we cannot allow the deaths of so many distinguished men to pass without some sort of notice. The Council will rise as a token of their respect to the memory of the deceased.

Starred Questions

(to which oral answers were given).

Travelling expenses of officers of the Education Department in Pabna.

*I. **SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing the amounts drawn as travelling allowance by the officers of the Department in the district of Pabna, now below the rank of Deputy Inspector of Schools, for the period from 1918-19 to 1922 (up to 31st October, 1922), noting the annual salary of each such officer?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): The member is referred to the answer to unstarred question No. 8 put by him at this meeting.

Schemes of primary education submitted by local bodies.

*II. **SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the schemes of primary education submitted by the local bodies in the district of Pabna and other districts of Bengal, each year, during the years 1919—22; and

(*ii*) the amounts of Government aid granted in each instance?

The Hon'ble Mr. P. C. MITTER: The member is referred to the answer to unstarred question No. 8 put by him at this meeting.

Officers of the Pabna district getting revised salaries since 1919.

*III. **SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Member in charge of the Department of Finance be pleased to lay on the table a statement showing, department by department, for the district of Pabna—

(*i*) the names of the officers who have received revised increased rates of salary sanctioned since 1919, together with the average percentage of increase;

(*ii*) the dates from which these rates have been given effect to; and

(*iii*) the present salary drawn in each case?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): (*i*) to (*iii*) The labour involved in the collection of this information is altogether disproportionate to its value, and Government are not prepared to undertake it.

Communal representation on certain services.

***IV. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table a statement showing separately the number of deputy magistrates, sub-deputy collectors, excise superintendents, excise inspectors, deputy superintendents of police, sub-registrars, sub-inspectors of police, and excise sub-inspectors appointed from the different communities of Bengal during the years 1921 and 1922?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): The member is referred to the Civil List, from which most of this information can be ascertained.

Appointments in the Police Department.

***V. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table a statement showing the number of appointments in the Police Department in Bengal under the following heads:—

(*i*) Deputy Inspectors-General;
(*ii*) Superintendents of Police;
(*iii*) Assistant Superintendents of Police;
(*iv*) Deputy Superintendents of Police;
(*v*) Inspectors of Police;
(*vi*) Sub-Inspectors of Police;
(*vii*) Assistant Sub-Inspectors of Police;
(*viii*) Literate Constables; and
(*ix*) Illiterate Constables?

The Hon'ble Mr. H. L. STEPHENSON: The information is contained in statement D of the Annual Reports on the Bengal and Calcutta Police, copies of which may be consulted in the Council Library.

Muhammadan Subdivisional Officers.

***VI. Khan Bahadur Maulvi EMADUDDIN AHMED:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table a statement showing—

(*i*) how many subdivisional charges there are in Bengal;

(*ii*) how many of these charges are held by—

(*1*) Hindu deputy collectors,
(*2*) Muhammadan deputy collectors,
(*3*) Christian deputy collectors,
(*4*) Civilian officers under training;

(*iii*) what is the total number of deputy collectors in the cadre;

(*iv*) how many of them are Muhammadans; and

(*v*) how many of the Muhammadan deputy collectors have put in service for ten years and more?

(*b*) Is it a fact that the holding of the charge of a subdivision is considered as promotion and is also taken into consideration in the matter of further promotion of deputy collectors?

(*c*) Are the Government considering the desirability of increasing the number of Muhammadan subdivisional officers in proportion to the strength of the Muhammadan officers in the cadre?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*) 89.

(*ii*)(*1*) 59; (*2*) 9; (*3*) 8; (*4*) 13.

(*iii*) 321.

(*iv*) 75.

(*v*) 46.

(*b*) Appointment to a subdivision is generally desired by members of the Bengal Civil Service and is regarded as affording a wider opportunity for attracting the notice of Government.

(*c*) The desirability of appointing Muhammadan officers to subdivisions in certain districts is kept in mind, but the appointments must necessarily be made on other considerations than numerical percentages.

Outbreak of diseases in flood-affected areas of North Bengal.

***VII. Mr. SYED ERFAN ALI:** Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) whether any diseases have broken out in the areas affected by the recent flood in North Bengal;

(*ii*) whether any measures have been taken by the Government in this direction;

(*iii*) whether the Government have supplied the medical staff on duty with medicine and other necessary materials;

(*iv*) whether any deaths from disease have taken place after the flood; and

(*v*) what diseases are prevalent in the area affected?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): (*i*) The answer is in the negative.

(*ii*) All precautions are being taken in conjunction with the district boards concerned.

(*iii*) Medicines and disinfectants and other requisites as were immediately available were sent to the local authorities. Cinchona febrifuge tablets have also been supplied.

(*iv*) and (*v*) The deaths that have occurred after the flood cannot be well attributed to the flood. A statement is laid on the table showing the reported attacks and deaths in the affected areas, thana by thana, from different diseases. It appears that the incidence of disease is at present rather below the normal.

Statement referred to in the reply to clauses (iv) and (v) of starred question No. VII showing, thana by thana, the reported attacks and deaths from cholera, small-pox and influenza in the districts of Rajshahi, Bogra and Pabna.

Name of district and thanas.		FOR THE WEEK ENDING—											
		7th October, 1922.		14th October, 1922.		21st October, 1922.		28th October, 1922.		4th November, 1922.		11th November, 1922.	
		Attacks.	Deaths.	Attacks.	Deaths.	Attacks.	Deaths.	Attacks.	Deaths.	Attacks.	Deaths.	Attacks.	Deaths.
RAJSHAHI.													
Cholera ...	Singra	...	...	...	...	...	...	1	...	...	...	...	...
	Naogaon	...	...	...	...	...	...	1	1	...	...	...	...
	Panchrpur ...	...	...	...	...	...	...	...	...	1	1	...	...
Small-pox...	Tanor	...	...	...	...	...	...	...	.	...	...	1	...
	Gharghat	...	...	...	...	...	...	...	...	...	...	1	...
BOGRA.		No other thana reported any case.											
Cholera ...	Adamdighi	...	...	1	...	2	1	...	...	1	...	...	...
	Dhupchanchia ...	...	...	...	...	...	...	...	...	...	...	2	2
Small-pox...	Adamdighi	...	...	4	...	...	1	...	...	1	...	...	...
PABNA.		No other thana reported any case.											
Cholera ...	Pabna	...	...	2	1	...	...	...		...	...	...	...
		No other thana reported any case.											
		Influenza reported from no thana of the above districts.											

Natural slopes within the railway area in North Bengal.

***VIII. Mr. SYED ERFAN ALI:** (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state the directions in which natural slopes lie within the area covered by the railway lines from Ishurdi to Santahar and from Santahar to Bogra and Bonarpara and from Ishurdi to Sirajganj?

(*b*) Is it a fact that the part covered by these lines on the stations noted above is regarded by the people as a sort of catchment area?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) Direction of the natural slope of the country from Ishurdi to Santahar is generally north-west to south-east; Santahar to Bogra, north to south; Bogra to Bonarpara, west to east; Ishurdi to Sirajganj, generally north-west to south-east.

(*b*) Government has no information.

Damodar flood and the Carerghat-Khanakul road.

***IX. Rai FANINDRALAL DE Bahadur:** (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that the road from Garerghat to Khanakul, especially the section up to Rajbati, in the district of Hooghly, has been washed away by a flood of the Damodar?

(*b*) If so, what steps are the Government taking in the matter.

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Government have no information.

(*b*) Under section 78 of the Local Self-Government Act, it is the duty of every district board to provide for and maintain roads, bridges, etc., for directly improving local communications. Government, therefore, do not propose to interfere in the matter, but have forwarded a copy of the question to the district board concerned for necessary action.

Imposition of a police rate in Calcutta.

***X. Mr. AJOY CHUNDER DUTT:** Will the Hon'ble the Member in charge of the Police Department be pleased to state what steps, if any, the Government are taking for the imposition of a police rate in Calcutta?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): The question is one of very great importance which Government is still examining.

Grants-in-aid to European and Indian high schools at Kharagpur.

***XI. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the annual grants-in-aid to the European school and to the Indian high school at Kharagpur during the last three years;

(*ii*) the amount of non-recurring grants-in-aid given up to this time to the two schools; and

(*iii*) the number and nationalities of the students and the total income in each of these two schools each year during the last three years?

(*b*) Are these two schools affiliated to the University of Calcutta? If not, why not?

(*c*) Is there any distinction in the courses of these two schools?

(*d*) If so, what are the points of distinction?

(*e*) How much and what proportion of the total income of the Indian school was spent in purchasing books for the library each year during the last three years?

The Hon'ble Mr. P. C. MITTER: (*a*) A statement is laid on the table.

(*b*) The Indian high school at Kharagpur is recognized by the Calcutta University. The European school is not.

(*c*) Yes.

(*d*) One follows the matriculation course of Calcutta University and has technical and commercial classes attached to it; the other works under the European schools course and prepares candidates for the Cambridge Local Examinations.

(*e*) The information is incorporated in the statement prepared in accordance with clause (*a*) (*i*), (*ii*) and (*iii*) above.

Statement referred to in the reply to clauses (a) (i), (ii) and (iii) and (e) to starred question No. XI.

Name of school.	(a) (i) Annual grant-in-aid.			(a) (ii) Non-recurring grants.			(a) (iii) Number and nationalities of students.			(a) (iii) Total income.			(e) How much and what proportion of the total income of the Indian school was spent in purchasing books for the library.		
	1919-20.	1920-21.	1921-22.	1919-20.	1920-21.	1921-22.	1919-20.	1920-21.	1921-22.	1919-20	1920-21.	1921-22.	1919-20.	1920-21.	1921-22.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.				Rs.	Rs.	Rs.			
European School, Kharagpur.	10,788	10,683	10,872	...	...	...	142*	144*	159*	23,846	29,232	32,040	...	...	...
Indian High School, Kharagpur.	8,701	9,252	11,400	...	...	...	†	†	†	20,052	25,716	30,545	96 or ·478 per cent.	96 or ·381 per cent.	96 or ·319 per cent.

* European and Anglo-Indian.
† Vide statement on page 12.

Statement referred to in the statement to starred question No. XI (a)(iii), showing the number and nationalities of the pupils of the Indian High School, Kharagpur.

1919-20—

Bengali	147
Beharis	27
Oriyas	2
Punjabis	71
U. P.	59
Gujratees	4
Marhattas	28
Nepalese	1
C. P. and Nagpuris	65
Marwaris	5
Hyderabad	3
Madrassees	97
	509

1920-21—

Hindus	391
Sikhs	52
Muhammadans	68
Christians	8
Jews	1
	520

1921-22—

Bengalis	173
Beharis	17
Punjabis	79
U. P.	80
Gujratees	4
Rajputs	4
Marhattas	20
Nepalese	1
C. P. and Nagpuris	71
Madrassees	102
Kasmiris	6
Oriyas	1
	558

Unstarred Questions

(answers to which were laid on the table).

Bigamy cases in Pabna and Tippera.

1. **SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the number of bigamy cases in the criminal courts of each subdivision in the districts of Tippera and Pabna from 1918 to 1921; and

(*ii*) the number of convictions in each of those years?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): As the possible utility of the figures asked for is incommensurate with the labour involved in compiling them, the Government do not consider that they would be justified in undertaking the work.

Number of suits, criminal cases, and appeals in Pabna.

2. **SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing the number of suits—Civil suits and appeals and Criminal cases, motions and appeals—instituted and disposed of in the following courts of the district of Pabna during the last three years and the numbers still pending:—

A.—PABNA SADAR.

I.- Civil suits and appeals.

(*a*) In the Courts of—

(*i*) District Judge,

(*ii*) Additional District Judge,

(*iii*) 1st Subordinate Judge,

(*iv*) 2nd Subordinate Judge,

(*v*) 1st Munsif,

(*vi*) 2nd Munsif,

(*vii*) 3rd Munsif, and

(*viii*) 4th Munsif,

respectively;

II.—Criminal cases and appeals.

(*b*) In the Courts of—

(*i*) Sessions Judge,

(*ii*) Additional Sessions Judge,

(*iii*) District Magistrate,

(*iv*) Sadar Subdivisional Officer,

(*v*) 2nd Officer, and

(*vi*) other Deputy and Sub-Deputy Magistrates,

respectively;

B.—SIRAJGANJ SUBDIVISION.

I.—Civil suits.

(*a*) In the Courts of the—

(*i*) 1st Munsif,

(*ii*) 2nd Munsif, and

(*iii*) 3rd Munsif,

respectively;

II.—Criminal cases.

(*b*) In the Courts of the—

(*i*) Subdivisional Officer,

(*ii*) 2nd Officer, and

(*iii*) other Deputy and Sub-Deputy Magistrates,

respectively?

The Hon'ble Sir ABD-UR-RAHIM: As the possible utility of the figures asked for is incommensurate with the labour involved in compiling them, the Government do not consider that they would be justified in undertaking the work.

Suits by landlords against their tenants for cutting down trees.

3. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing, district by district, and separately, the number of cases—

(*i*) civil, and

(*ii*) criminal,

brought against raiyats or holders of occupancy rights in this Presidency during the last three years by landlords for cutting down trees?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): The labour involved in obtaining this information is incommensurate with its value.

Transfer of cases from the files of Subdivisional Officers of Pabna.

4. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing the number of cases transferred from the file of the Sadar Subdivisional Officer, Pabna, and the Subdivisional Officer of Sirajganj during the years 1919-20, 1920-21, and 1922 indicating in each such case the reason assigned for the transfer?

The Hon'ble Sir ABD-UR-RAHIM: As the possible utility of the figures asked for is incommensurate with the labour involved in compiling them, the Government do not consider that they would be justified in undertaking the work.

Honorary magistrates in Pabna.

5. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing, year by year, for the period from 1916—21 and for each of the subdivisions of the district of Pabna—

(*i*) the number of honorary magistrates from the following communities—

(*a*) Muhammadans,

(*b*) Christians,

(*c*) high class Hindus, and

(*d*) low class Hindus,

(*ii*) the number of cases tried by each of them; and

(*iii*) the amount drawn as travelling allowances by each of them?

The Hon'ble Sir ABD-UR-RAHIM: As the possible utility of the figures asked for is incommensurate with the labour involved in compiling them, the Government do not consider that they would be justified in undertaking the work.

Diet money for witnesses in suits in Tippera and Pabna.

6. **SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the total amount of deposit of the diet money for witnesses in suits in the Tippera and Pabna districts with Government, year by year, since the passing of the new rules till 1922; and

(*ii*) the total amount of deposit of such diet money at—

(*a*) Comilla Sadar,
(*b*) Brahmanbaria,
(*c*) Chandpur, and
(*d*) Sirajganj,

subdivisions, respectively, year by year, during the last three years?

The Hon'ble Sir ABD-UR-RAHIM: As the possible utility of the figures asked for is incommensurate with the labour involved in compiling them, the Government do not consider that they would be justified in undertaking the work.

Pleaders and mukhtears in Tippera and Pabna.

7. **SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Member in charge of the Judicial Department be pleased to state for the years 1918—22 and for the districts of Pabna and Tippera—

(*i*) the number of Government pleaders and mukhtears in each subdivision;

(*ii*) the amount of fees granted to each of them and the amount of fees received by them yearly; and

(*iii*) the number of successful and unsuccessful cases conducted by each?

The Hon'ble Sir ABD-UR-RAHIM: As the possible utility of the figures asked for is incommensurate with the labour involved in compiling them, the Government do not consider that they would be justified in undertaking the work.

Schools and school-going population of Pabna and Tippera.

8. **SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the number of lower primary, upper primary and middle English schools in each subdivision of the districts of Tippera and Pabna for the last five years; and

(*ii*) the ratio of increase of the school-going population in the above areas?

The Hon'ble Mr. P. C. MITTER: (*i*) and (*ii*) The information is not available and its value, were it collected, would not be commensurate with the expense and labour which its collection would involve.

Number of primary and middle schools in Pabna and Tippera.

9. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) the total number of (*a*) primary, (*b*) middle vernacular, (*c*) middle English, and (*d*) secondary high schools in the districts of Tippera and Pabna; and

(*ii*) the total number of schools of each kind maintained by (*a*) Government, (*b*) local bodies, (*c*) grants-in-aid, and (*d*) private effort?

The Hon'ble Mr. P. C. MITTER: The member is referred to the answer to unstarred question No. 8.

Number of schools in Pabna managed by Muhammadans.

10. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the number of middle English, upper primary and lower primary schools in the district of Pabna;

(*ii*) the total number of Muhammadan students in the district, and the number of such students in each of those schools;

(*iii*) the names of those schools which are managed mainly by Muhammadans with or without grants-in-aid from the Government and the district board; and

(*iv*) the amount of monthly grants received by each?

The Hon'ble Mr. P. C. MITTER: The member is referred to the answer to unstarred question No. 8.

Number of schools for girls in Pabna and Tippera.

11. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on

the table a statement showing, year by year, for the period from 1916 to 1922, and separately, for each subdivision of the districts of Pabna and Tippera—

(*i*) the number of lower and upper primary and other schools for girls;

(*ii*) the number of pupils therein;

(*iii*) the annual expenditure on these schools; and

(*iv*) the qualifications and sex of the teachers of these schools?

(*b*) Will the Hon'ble the Minister be pleased to say what steps the Government are taking to encourage the employment of women teachers in these schools?

The Hon'ble Mr. P. C. MITTER: The member is referred to the answer to unstarred question No. 8.

Details about primary schools for boys and girls in Pabna.

12. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to place on the table a statement showing—

(*i*) the total number of lower primary and upper primary schools for boys that exist at present in the Sadar and Sirajganj subdivisions, respectively, of the district of Pabna;

(*ii*) the number of students receiving instructions in such schools;

(*iii*) their percentage to the total number of boys of school-going age;

(*iv*) how many of such schools are entirely free;

(*v*) how many of them receive help from Government and the district board of Pabna and from the Pabna and Sirajganj municipalities, respectively;

(*vi*) the amounts of such grants-in-aid;

(*vii*) the number of such schools exclusively for girls;

(*viii*) the number of girls under instruction in those schools;

(*ix*) their percentage to the total number of girls of school-going age;

(*x*) whether there are any such schools free for girls;

(*xi*) what special consideration do such schools, if any, as are referred to in (*x*) receive at the hands of Government; and

(*xii*) what steps are the Government adopting to further the cause of elementary education for girls in the district of Pabna?

The Hon'ble Mr. P. C. MITTER: The member is referred to the answer to unstarred question No. 8.

Details about Pabna guru-training school.

13. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement for the financial year 1921-22 and for 1922 (up to December) showing as regards the Pabna guru-training school—

(*i*) the number of gurus who have received training;

(*ii*) the number of gurus who have completed their training;

(*iii*) the cost incurred in maintaining the school exclusive of the stipends paid to the gurus;

(*iv*) the total amount paid to the gurus by way of stipends;

(*v*) the cost of inspection, if any, of the guru-training school; and

(*vi*) the cost of inspection in connection with secondary education in the Pabna district?

The Hon'ble Mr. P. C. MITTER: The member is referred to the answer to unstarred question No. 8.

Tols, madrassas and maktabs in Pabna and Tippera.

14. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) how many aided tols, madrassas and maktabs there are under the jurisdiction of each police-station of the Sadar and other subdivisions, respectively, in the districts of Tippera and Pabna;

(*ii*) how much does each of them get as aid every year;

(*iii*) how many schools are under the jurisdiction of zamindars; and

(*iv*) how much does each of those referred to in (*iii*) get as aid every year?

The Hon'ble Mr. P. C. MITTER: The member is referred to the answer to unstarred question No. 8.

Free and half-free studentships in Noakhali, Pabna and Tippera.

15. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the amount of the total grant made last year and this year for free studentships and half-free studentships for school students of the districts of Pabna, Tippera and Noakhali;

(*ii*) how many students, Muhammadans and others, otherwise qualified, were refused aid on account of the age-limit last year; and

(*iii*) what was the amount, if any, of the grant which remained unutilized for want of candidates within the prescribed age-limit?

The Hon'ble Mr. P. C. MITTER: The member is referred to the answer to unstarred question No. 8.

Education charges of the Pabna district board.

16. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing year by year for the last three years—

(*i*) the inspection charges under the general head of education; and

(*ii*) the charges for the maintenance and management of middle and primary schools?

(*b*) What was the actual expenses incurred by 1921-22 under each of the heads mentioned in (*i*) and (*ii*) by the district board of Pabna?

The Hon'ble Mr. P. C. MITTER: The member is referred to the answer to unstarred question No. 8.

Primary Education in Tippera.

17. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) the number of primary schools in the district of Tippera; and

(*ii*) the number of students in the said schools?

(*b*) What steps are being taken to popularize primary education in the district?

The Hon'ble Mr. P. C. MITTER: (*a*) (*i*) and (*ii*) The member is referred to the Chairman of the Tippera district board.

(*b*) Government have not singled out the Tippera district for any special steps.

Conviction of British subjects with forged currency notes in Tripura State.

18. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Political Department aware that some British

subjects were found in the Tripura State to be in possession of some forged currency notes and were convicted?

(*b*) Is the Hon'ble the Member also aware that some of these persons are illiterate, but their guilty intention has been proved?

(*c*) Are the Government considering the desirability of taking any steps to prevent the occurrence of such treatment of British subjects in future?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) and (*b*) This Government has no information.

(*c*) No. Government fail to appreciate the necessity of taking steps to prevent the conviction of persons whose guilty intention has been proved.

Cultivators and Co-operative Societies in Pabna and Tippera.

19. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing for the districts of Pabna and Tippera—

(*i*) the number of real cultivating tenants who have become members of Co-operative Societies;

(*ii*) the amount of money they have subscribed;

(*iii*) the number of members who are now non-cultivators; and

(*iv*) the amount of money they have subscribed?

(*b*) Is it a fact that the cultivators can become members of those societies if they subscribe a portion of the money borrowed from the societies to the fund?

(*c*) Will the Hon'ble the Minister be pleased to state how many cultivators of the districts of Pabna and Tippera have become members without borrowing money in the way referred to in (*b*)?

(*d*) Is it a fact that the Co-operative Societies in the districts of Pabna and Tippera are made instruments by money-lenders for lending their money at nearly 18 per cent. interest and for easy realization of their money to the detriment of raiyats?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) to (*d*) The labour involved in obtaining the information is incommensurate with its value.

Travelling charges of Deputy Director of Agriculture, Rajshahi Circle.

20. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing what sums have been drawn by the Deputy Director of Agriculture, Rajshahi Circle, as travelling allowance, month by month, since his appointment to the circle up to September, 1922?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The labour involved in obtaining the information is incommensurate with its value.

Agricultural Department, Pabna.

21. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*i*) the tour programmes of the District Agricultural Officer, Pabna, for the months of May, June, July, August and September last; and

(*ii*) the amounts drawn by him as tour allowances in each of these months?

(*b*) Will the Hon'ble the Minister also be pleased to lay on the table a statement showing the total amount spent on the Agricultural Department in the district of Pabna, specifying the expenditure incurred during the years 1916 to 1922 (up to September)?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) and (*b*) The labour involved in obtaining the information is incommensurate with its value.

Co-operative Societies in Pabna.

22. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing, year by year, for the last five years for the district of Pabna—

(*i*) the number of co-operative societies;

(*ii*) the number of inspectors and auditors employed for these societies;

(*iii*) the pay and travelling allowances drawn by each of these officers;

(*iv*) the amount of capital sunk in these societies; and

(v) the amount of income derived from, and the amount of expenditure incurred on, these societies?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The labour involved in obtaining the information is incommensurate with its value.

Number of voters for several Legislatures in Bogra and Pabna.

23. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Appointment (Legislative) Department be pleased to state—

(i) the number of non-Muhammadan electors for the Bengal Legislative Council, the Legislative Assembly, and the Council of State, respectively, police-station by police-station, in the districts of Pabna and Bogra, and the percentage of voters, who attended at each of the centres during the last election; and

(ii) the number of Muhammadan voters for the Bengal Legislative Council, the Legislative Assembly, and the Council of State, respectively, police-station by police-station, in the district of Pabna and the percentage of voters who attended at each of the centres during the last election?

MEMBER in charge of APPOINTMENT (LEGISLATIVE) DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (i) and (ii) To obtain the information desired would involve an expenditure of time and labour that in the opinion of Government would be incommensurate with the utility of the information.

Voters for local Legislative Council for Bogra and Pabna.

24. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Appointment (Legislative) Department be pleased to state—

(i) the number of—

(a) Muhammadan, and

(b) non-Muhammadan

voters for the Bengal Legislative Council in each of the municipalities of the Pabna and Bogra districts and also in each of the police-stations of these two districts excluding the municipal areas;

(ii) the number of—

(a) Muhammadan, and

(b) non-Muhammadan

male population within the municipal areas and police-stations (excluding the municipal areas) in each of these two districts; and

(*iii*) the percentage of—

(*a*) Muhammadan, and

(*b*) non-Muhammadan

voters to the total male population, municipalities by municipalities, and police-stations by police-stations, in each of these two districts?

The Hon'ble Sir ABD-UR-RAHIM: To obtain the information desired would involve an expenditure of time and labour that in the opinion of Government would be incommensurate with the utility of the information.

Choked-up waterways in Bengal.

25. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to lay on the table a statement showing the choked-up waterways or silted-up rivers in the district of Pabna and other districts of Bengal that have been opened up during the last ten years?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The labour involved in obtaining the information is incommensurate with its value. Government, therefore, regrets its inability to answer the question.

Paddy in Pabna.

26. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*i*) what quantity of paddy was grown in the Sadar and Sirajganj subdivisions of the Pabna district during the period from 1916 to 1921;

(*ii*) the quantity that was exported from the said district during the said period;

(*iii*) what amount of paddy was imported into the district of Pabna during the said period; and

(*iv*) what amount of paddy is required for local consumption every year in the said district?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The labour involved in obtaining the information is incommensurate with its value.

Sales of occupancy holdings in Pabna and Tippera.

27. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue be pleased to lay on the table a statement showing separately the number of sales of occupancy holdings under the following heads in the districts of Tippera and Pabna within the last five years, viz:—

(*i*) voluntary sales by registered *kabalas;*
(*ii*) sales in execution of mortgage decrees;
(*iii*) sales in execution of money decrees, and
(*iv*) sales in execution of rent decrees?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The labour involved in obtaining this information is incommensurate with its value.

Babu INDU BHUSHAN DUTTA: It appears that all the questions of Shah Syed Emdadul Haq have been answered in one way.

Mr. PRESIDENT: That is not a supplementary question.

Babu INDU BHUSHAN DUTTA: May I ask how much money would be saved if these questions had not been printed in this list? (Laughter.)

Income and expenditure for keeping separate accounts of land revenue in Noakhali, Pabna and Tippera.

28. SHAH SYED EMDADUL HAQ: Will the Honb'le the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing income and expenditure for the last five years in the districts of Tippera, Noakhali and Pabna on account of the separation of accounts for land revenue in the Collectorates?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The labour involved in obtaining this information is incommensurate with its value.

Co-operative banks in Chittagong, Noakhali, Pabna and Tippera.

29. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*i*) the number of co-operative banks in the districts of Tippera, Pabna, Noakhali, and Chittagong;

(*ii*) the amount of income derived from the percentage of dividends given and expenditure incurred on each of these banks each year during the last five years; and

(*iii*) what is the amount of the—

(*a*) total, and

(*b*) subscribed,

capital of each of these central co-operative banks?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The labour involved in obtaining the information is incommensurate with its value.

North Bengal flood.

30. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing—

(*i*) the names of the districts with police-stations and the names of the villages within each such police-station, which have been affected by the last flood in North Bengal indicating the percentage of crops, houses and cattle destroyed; and

(*ii*) the number of persons who have either died or have been affected?

(*b*) What has been done by the officer of the Public Health Department in the matter of giving medical assistance to the persons affected?

(*c*) What steps have been taken to prevent outbreaks of epidemics in the flood affected areas?

(*d*) How many days after the flood did the Hon'ble the Minister, the Director and other officers of the Public Health Department visit the affected area?

(*e*) Will the Hon'ble the Member be pleased to lay on the table a statement showing, police-station by police-station, the amount given by the Government as (*i*) gratuitous relief, and (*ii*) agricultural loans to the affected districts?

(*f*) If there was any delay in visiting the area by the officers referred to in (*d*), will the Hon'ble the Member be pleased to state the reasons therefor?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) The statement below shows the replies which have already been given to the different parts of the question at the last meeting of the Council:—

Where previously answered.

(*i*) 77, 85(*j*), 86 (*a*)(*i*) XXXIX(*b*)(*i*), XLV(*vi*), 79(*a*)(*ii*), 85(*j*), XXXIX(*b*)(*iii*), (*iv*) and (*v*), XLV(*vii*) and (*viii*), LXX(*e*).

(*ii*) 79(*a*)(*i*), 41(*a*), XLV(*vii*), 79(*a*)(*i*), XXXIX(*b*)(*i*), XLV(*ix*) and (*x*).

(*b*) and (*c*) 79(*d*)(*iii*), 80(*b*)(*vi*), 85(*e*).

(*d*) LXII(*ii*), 134(*ii*) and (*iv*).

(*e*) XXV(*i*) and (*ii*), 79(*d*)(*i*), 80(*b*)(*i*), 85(*c*); XLVII(*iv*), XXV(*i*) and (*ii*), XXXI(*a*), 79(*d*)(*iv*), 80(*b*)(*ii*), 85(*d*), 86(*iii*) and (*iv*), XLVII(*iv*).

Details as to the floods in Pabna district were also supplied in answer to starred question No. LXXI at the last meeting.

(*f*) The question does not arise.

Areas under rice, sugarcane and cotton in Pabna.

31. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing for the Pabna district and since the organization of the Agricultural Department under the Director of Agriculture—

(*i*) the percentage of annual increase in areas under—

(*a*) rice,
(*b*) sugarcane, and
(*c*) cotton; and

(*ii*) the yearly variation in outturn per area of these crops?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) and (*ii*) The labour involved in obtaining the information is incommensurate with its value.

Excise in Pabna and Tippera.

32. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*i*) the number of excise shops in the districts of Tippera and Pabna with the names of the places where they are situated;
(*ii*) the amount of income derived from each of these shops and the quantities of excisable articles sold during the last three years; and
(*iii*) the amount spent each year on the excise staff of the district during the last three years?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*), (*ii*) and (*iii*) The labour involved in obtaining the information is incommensurate with its value.

Thanas without telegraph office and unions without post office.

33. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Commerce be pleased to lay on the table a statement showing separately for the Sadar and Sirajganj subdivisions of the Pabna district—

(*i*) the names of the thanas which have got no telegraph office; and

(*ii*) the names of the unions in the jurisdiction in which there is no post office?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): The labour involved in the collection of this information is incommensurate with its value, and Government are not prepared to undertake it.

Fees for mutation of names in Khas Mahal of Pabna.

34. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state the amount of fees realized by the authorities of the Khas Mahal department of Pabna on the value of the holding as a premium for the mutation of names of the transferees?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The labour involved in obtaining this information is incommensurate with its value.

Loans for agricultural improvements in Pabna and elsewhere.

35. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing, year by year, for the last three years—

(*i*) the amount advanced as loans in the Sadar and Sirajganj subdivisions, respectively, in the district of Pabna and in other districts of Bengal for agricultural improvements; and

(*ii*) how much of this amount has been recouped each year?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The labour involved in obtaining this information is incommensurate with its value.

Sale of judicial and non-judicial stamps in Noakhali, Pabna and Tippera.

36. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Finance be pleased to lay on the table a statement showing, year by year, for the last five years—

(*i*) the number of judicial and non-judicial stamps sold in the districts of Pabna, Tippera and Noakhali; and

(*ii*) the amount of revenue realized from the judicial and non-judicial stamps, respectively, in the district of Pabna?

The Hon'ble Mr. J. DONALD: The labour involved in the collection of this information is incommensurate with its value, and Government are not prepared to undertake it.

Sale of judicial and non-judicial stamps in Pabna and Tippera during April and May of 1921 and 1922.

37. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Finance be pleased to lay on the table a statement showing separately, the amount of revenue derived from the sale of (*i*) judicial stamps, and (*ii*) non-judicial stamps in the districts of Tippera and Pabna during April and May of 1921 and 1922?

The Hon'ble Mr. J. DONALD: The labour involved in the collection of this information is incommensurate with its value, and Government are not prepared to undertake it.

Details of political offences in Pabna.

38. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state separately the number of persons hitherto—

(*i*) arrested,

(*ii*) sentenced, and

(*iii*) released after being convicted and sentenced for political offences,

in the Sadar and Sirajganj subdivisions and in the rural magistracy of Shahazadpur, respectively, since the 17th November, 1921, to the 31st July, 1922?

(*b*) how many of these persons were tried and convicted at—

(*i*) Pabna,

(*ii*) Sirajganj, and

(*iii*) Shahazadpur,

under sections 17(*1*) and (*2*) of the Criminal Law Amendment Act, sections 124A and 153A of the Indian Penal Code and Sections 107, 108 and 110 of the Code of Criminal Procedure?

(*c*) How many cases were—

(*i*) defended, and

(*ii*) undefended,

within each of the aforesaid areas and what were the sentences passed in each case?

(*d*) For how many times, on what dates, for what purposes and by whom were injunctions under section 144 of the Code of Criminal Procedure issued for political purposes within each of the aforesaid areas and up to what dates did these orders of injunction remain in force within these areas, respectively, and in each case?

(*e*) Will the Hon'ble the Member be pleased to state how many boys under the age of 16 were—

(*i*) tried, and

(*ii*) convicted and sentenced,

for political offences within each of the said areas?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) to (*e*) The information is not available and the labour involved in obtaining it is incommensurate with its value.

Details as to cases under sections 107 and 108 of the Criminal Procedure Code.

39. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*i*) how many persons within (*a*) Pabna Sadar, and (*b*) Sirajganj subdivisions, were ordered to execute bonds under sections 107 and 108 of the Code of Criminal Procedure since the 17th November, 1921; and

(*ii*) how many of these persons, having refused to execute such bonds, had to undergo imprisonment under sections 107 and 108, respectively?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) and (*ii*) The information is not readily available and the labour involved in obtaining it is incommensurate with its value.

Jute, cotton, rice, and oil-seeds in Pabna and Tippera.

40. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Commerce be pleased to lay on the table a statement showing for the last five years—

(*i*) what quantities of jute, cotton, rice and oil-seeds, respectively, were produced in the districts of Tippera and Pabna; and

(*ii*) what quantity was exported from those districts?

The Hon'ble Mr. J. DONALD: The labour involved in the collection of this information is incommensurate with its value, and Government are not prepared to undertake it.

Pabna-Bogra Settlement.

41. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to lay on the table a statement showing—

(*i*) the number of—

(*a*) Indian Civil Service officers;

(*b*) deputy collectors;

(*c*) sub-deputy collectors; and

(*d*) kanungoes;

employed in the Pabna-Bogra settlement;

(*ii*) the number of circles and *halkas* in which these districts have been divided for the purpose of settlement operations with the name of the officer in charge of each circle and each *halka* and the salary drawn at present by each of them;

(*iii*) the work done by the Pabna-Bogra settlement since its commencement up to 31st October, 1922;

(*iv*) the average monthly cost incurred in the settlement operations;

(*v*) the number and pay of assistant settlement officers employed in this settlement; and

(*vi*) the names of the assistant settlement officers who are revenue officers?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The labour involved in obtaining this information is incommensurate with its value. Some of it will be found in the Civil List and in the Annual Reports of the Settlement Department.

Works of river improvement.

42. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) what works of river improvement have been undertaken and completed in each division during the last five years; and

(*ii*) what dredging operations are now in progress in the rivers of Bengal?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) The labour involved in obtaining the information is incommensurate with its value. Government, therefore, regrets its inability to answer the question.

(*ii*) Dredging operations are being carried out at present in the Bidyadhari river, in the district of the 24-Parganas.

Sale of properties in default of public demands in Pabna and Tippera.

43. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state the number and names and tauzi numbers of the properties sold or put to sale in default of Government revenue and cesses, respectively, in the districts of Tippera and Pabna for the last three years and the number of proprietors on whose behalf the revenue was paid on the sale date?

(*b*) Will the Hon'ble the Member be pleased to state whether any inquiries were made about the circumstances under which the proprietors had failed to pay the Government revenue and the cesses?

(*c*) Will the Hon'ble the Member be pleased to state whether it is a fact that the proprietors had failed to pay the revenue owing to difficulties of realizing rents from the tenants?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) The labour involved in obtaining this information is incommensurate with its value.

(*b*) and (*c*) The member is referred to the answer to the unstarred question No. 80(*b*) asked by Babu Jogendra Nath Roy at the meeting of the Legislative Council held on the 23rd August, 1922.

Political prisoners in Pabna jail.

44. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to lay on the table a statement showing—

(*i*) how many persons convicted and sentenced for political offences from—

(*i*) Pabna Sadar subdivision,

(*ii*) Sirajganj subdivision, and

(*iii*) Shazadpur Rural Magistracy

in the district of Pabna were lodged in the Pabna district jail, month by month, since the 17th November, 1921, up to the 31st July, 1922;

(*ii*) the names of those prisoners who were transferred from Pabna jail elsewhere, month by month, indicating the jails to which they were so transferred;

(*iii*) the names of the political prisoners who are still in the Pabna jail indicating the offences for which they have been convicted and the dates of their release in each case;

(*iv*) whether these political prisoners in the Pabna jail are allowed special privileges; and

(*v*) if so, what are these privileges?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. H. L. Stephenson): (*i*) to (*iii*) The information is not available and the labour involved in obtaining it is incommensurate with its value.

(*iv*) and (*v*) Such of these political prisoners, if any, who are classified as special class prisoners enjoy the privileges given in the rules for special class prisoners of which a copy is laid on the Library table.

Unpassed compounders practising medicine in Pabna.

45. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state, police-station by police-station, how many passed and unpassed compounders are practising the profession of medicine and surgery in the Sadar and Sirajganj subdivisions, respectively, in the district of Pabna?

The Hon'ble Sir SURENDRA NATH BANERJEA: Government have no information.

Gambling in Pabna.

46. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact that gambling is very prevalent amongst the people in certain parts of the district of Pabna?

(*b*) Are the Government considering the desirability of extending the Gambling Act to these parts of the district?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) and (*b*) Government have received no information to this effect. The Act is in force in the towns of Pabna and Sirajganj.

River stations of the Joint Steamer Companies.

47. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Marine Department be pleased to lay on the table a statement showing—

(*i*) the number and names of the stations served by the Ganges Despatch Service steamers of the Joint Steamer Companies; and

(*ii*) which of these stations are provided with waiting rooms for male and female passengers, respectively?

(*b*) Is it a fact that the said Companies have enhanced the rates of passenger fares?

(*c*) If so, when were they increased and what has been the proportion of increase on the former fares?

MEMBER in charge of MARINE DEPARTMENT (the Hon'ble Mr. J. Donald): (*a*) (*i*) The member is referred to the Time Table published by the Companies.

(*ii*), (*b*) and (*c*) Government have no information.

Liquor shops in Pabna and Tippera.

48. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*i*) the number of liquor shops in the districts of Pabna and Tippera,

(*ii*) the places where they are located, and

(*iii*) the income derived from each of them each year during the last three years?

(*b*) Is it a fact that it has been found that the rules regulating the location of liquor shops have not been observed in practice in the districts of Pabna and Tippera and that as a matter of fact the rules have been broken in about 80 per cent. of the locations?

(*c*) Will the Hon'ble the Minister be pleased to state—

(*i*) whether opinions are invited from the local boards regarding the location of liquor shops at the time of their establishment; and

(*ii*) whether such opinions are given effect to?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) and (*b*) The labour involved in obtaining the information is incommensurate with its value.

(*c*)(*i*) Yes.

(*ii*) Yes, whenever practicable.

Persons dealt with under section 144 (1), Criminal Procedure Code, in Pabna.

49. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Political Department be pleased to lay on the table a statement showing—

(*i*) the names of the persons dealt with under section 144(*1*) of the Criminal Procedure Code for political work in the Sadar and Sirajganj subdivisions, respectively, in the district of Pabna; and

(*ii*) the apprehended act or acts on their part, for which immediate prevention or speedy remedy was thought desirable in each case?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) Government have no information as to individual cases dealt with under section 144(*1*), Criminal Procedure Code, in the districts.

(*ii*) Presumably the material facts of each case have been stated in the order issued and would, therefore, be known to the party on whom the order was served. The facts are not known to Government.

River dacoities in Bengal.

50. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing, year by year, since the introduction of the system of River Police—

(*i*) the number of river dacoities committed in the Pabna and other districts of Bengal;

(*ii*) the number of such cases, district by district, which have been detected by the River Police; and

(*iii*) the number of cases in which the River Police interfered on the spot and prevented the commission of dacoities and similar crimes?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) to (*iii*) The member is referred to the answer given to unstarred question No. 174 at the Council meeting of the 4th July, 1921.

Road-cess and Government revenue in the Pabna district.

51. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased

to state the total amounts collected in the district of Pabna separately under heads—

(*i*) road-cess, and

(*ii*) Government revenue during each of the last ten years?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The member is referred to the Annual Reports of the Board of Revenue.

Appointment of two retired officers as honorary magistrates of Pabna.

52. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) whether it is a fact that a retired deputy superintendent of police and a retired inspector of police are now or were before appointed as honorary magistrates in Pabna;

(*ii*) what were the special reasons which led to these appointments; and

(*iii*) how many cases were or have been tried by these magistrates yearly since their appointments?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) One retired deputy superintendent of police and one retired inspector of police were appointed as honorary magistrates of the Sadar Independent Bench, Pabna. The former was not recommended for reappointment on the expiry of the period of his appointment and the latter died.

(*ii*) There were no special reasons.

(*iii*) Government do not feel justified in compiling the statistics as the labour involved will be incommensurate with its utility.

Licenses for fire-arms in Pabna.

53. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing, year by year, from the last 10 years and for the district of Pabna—

(*i*) the number of applications for licenses for fire-arms; and

(*ii*) the number of such licenses issued by the Government?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) and (*ii*) The member is referred to the statement placed on the table in answer to the unstarred question asked by Babu Nalini Nath Roy at the Council meeting of 4th July, 1921.

Launch of the Superintendent of Police, Pabna.

54. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing, year by year—

(*i*) the expenditure incurred for the staff of the launch of the Superintendent of Police, Pabna, during 1918-19 to 1921-22;

(*ii*) the number of days on which the launch was used by the said officer during the said period;

(*iii*) the number of days on which the launch was used by the Collector of Pabna during the said period; and

(*iv*) what was the cost of coal used in this steam launch during the last three years?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) to (*iv*) The information on record gives the expenditure for the year 1920-21 and is contained in the answer to the unstarred question asked by Nawabzada K. M. Afzal, Khan Bahadur, at the Council meeting of the 4th July, 1921.

Police strength in Pabna and Tippera.

55. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing separately for the last three years—

(*i*) the total strength of the police force, *i.e.*, officers and constables, attached to each police-station in the districts of Pabna and Tippera; and

(*ii*) the number of cases of—

(*a*) dacoity;
(*b*) robbery;
(*c*) murder;
(*d*) culpable homicide;
(*e*) theft;
(*f*) arson;
(*g*) rape;
(*h*) grievous hurt; and
(*i*) other cognizable offences

reported from the area under each police-station in the said district?

The Hon'ble Mr. H. L. STEPHENSON: The information on record is contained in statements D and G of the Annual Reports on the Police Administration, copies of which may be consulted in the Council Library.

Uniforms to dafadars and chaukidars of Pabna and Tippera.

56. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state the cost incurred by each chaukidari union and union board in the districts of Tippera and Pabna for supplying uniforms to its chaukidars and dafadars each year during the last six years?

(*b*) How much have the Government contributed towards—

(*i*) the pay of; and

(*ii*) the cost of supplying uniforms to the chaukidars and dafadars in the district of Tippera and Pabna, union by union, each year, during the last six years?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) The number of dafadars and chaukidars in these districts is given in statement H of the Annual Report on the Police Administration. The cost of each uniform is laid down in rules 206 to 208 of the Chaukidari Manual. These publications may be consulted in the Council Library.

(*b*) Government makes no contribution towards the pay and cost of uniforms of dafadars and chaukidars.

Chaukidari tax in Pabna.

57. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing the amount realized annually as chaukidari tax, police-station by police-station, in the district of Pabna under the Village Chaukidari Act, 1870, within the last five years?

The Hon'ble Mr. H. L. STEPHENSON: The figures on record are for the whole district and not for individual police-stations. The member is referred to statement H of the Annual Reports on the Police Administration and to the statement placed on the table on the 29th August, 1921, in answer to a question by Mr. Tarit Bhusan Roy.

Number of litigation cases in districts, where survey and settlement operations have commenced or completed.

58. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state in a tabular form the number of litigation cases, year by year, instituted in the district of Pabna and other districts where survey and

settlement operations have commenced or completed from three years before the commencement of the survey and settlement operations up till now?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The member is referred to the reports of the High Court on the administration of Civil and Criminal Justice.

Number of police in Pabna and Tippera.

59. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing, year by year, for the last three years and for the districts of Pabna and Tippera—

(*i*) the number of officers employed as—

(*a*) circle inspectors,

(*b*) sub-inspectors,

(*c*) assistant sub-inspectors, and

(*d*) constables; and

(*ii*) the amount drawn as pay and travelling allowances by each such class of officers?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) The strength of the police force employed in these districts will be found in statements D and G of the Annual Reports on the Police Administration.

(*ii*) Government do not possess these detailed figures.

Cases of murder in Pabna.

60. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing for the last five years from date for the district of Pabna and for the rest of Bengal—

(*i*) the number of cases of murder;

(*ii*) the number of lives lost in each case; and

(*iii*) the ultimate result of each case?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) to (*iii*) The information on record regarding cases of murder is contained in statements A and G of the Annual Reports on the Police Administration to which the member is referred.

Expenditure on police in Pabna and Tippera.

61. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing—

(*i*) the total cost incurred for the police in the districts of Pabna and Tippera in respect of their pay, deputation allowance, travelling allowance and office establishment for the years 1905-06, 1917, 1918, 1919, 1920, 1921 and 1922; and

(*ii*) the total strength of the police in the districts under the following heads—

(*1*) deputy superintendents,

(*2*) inspectors,

(*3*) sub-inspectors,

(*4*) assistant sub-inspectors, and

(*5*) constables?

(*b*) Will the Hon'ble the Member be pleased to lay a statement on the table showing, year by year, for the last six years for the said districts—

(*i*) the number of cases in which property was stolen;

(*ii*) the number of cases in which property was recovered;

(*iii*) the percentage of the cases in which property was recovered to the cases in which property was stolen;

(*iv*) the amount of property stolen;

(*v*) the amount of property recovered; and

(*vi*) the percentage of the value of the property recovered to the value of the property stolen?

(*c*) Will the Hon'ble the Member be pleased to lay on the table a statement showing, year by year, for the last six years for the said districts—

(*i*) the number of cognizable crimes reported;

(*ii*) the number that met with conviction; and

(*iii*) number of cases which went undetected?

The Hon'ble Mr. H. L. STEPHENSON: The member is referred to the statements appended to the Annual Reports on the Police Administration.

Charitable dispensary at Sujanagar.

62. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware of

the great need for medical assistance existing in Sujauagar (Sadar subdivision, Pabna district)?

(*b*) Is the Hon'ble the Minister aware that Sujanagar is a rising port and is the headquarters of a police-station with a large Middle English School situated there?

(*c*) Are the Government considering the desirability of establishing a charitable dispensary at Sujanagar at an early date?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) The Minister has no information on these points.

(*c*) No. The responsibility for establishing such a dispensary rests with the district board.

Primary schools in Tippera and Pabna.

63. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) at what rate monthly grants are made to primary schools in the districts of Tippera and Pabna; and

(*ii*) whether there has been any dearth of applications for teacherships in primary schools from the better type of trained teachers in the districts?

The Hon'ble Mr. P. C. MITTER: (*i*) Grants to primary schools are made by local bodies and the rates at which such grants are paid are fixed by those bodies in accordance with the allotments for education at their disposal.

(*ii*) The member is referred to the district boards and municipalities of the area to which this question refers.

Alleged raising of subscriptions in certain sub-registry offices in Pabna.

64. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) whether it is a fact that in some of the sub-registry offices in the district of Pabna certain fees or subscriptions are levied for every deed registered for the purpose of carrying on any local charitable work;

(*ii*) under what law, rule or bye-law are such subscriptions realized; and

(*iii*) whether this is done with the approval of the Government?

(*b*) Is there any bar to raising such subscriptions for charitable purposes?

The Hon'ble Mr. P. C. MITTER: (*a*) (*i*) The practice of raising subscriptions at Sirajganj and Dhangora Sub-registry offices was stopped after the issue of Government Order No. 698 Mis., dated the 24th March, 1922.

(*ii*) There is no law, rule or bye-law sanctioning the levy of such subscriptions.

(*iii*) Government's approval was not asked for nor given.

(*b*) Although there is no legal bar to the raising of such subscription, it has been prohibited by Government for administrative reasons as it might easily lead to abuses.

Travelling allowances of Deputy Commissioners of Excise.

65. Nawabzada K. M. AFZAL, Khan Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state the average monthly travelling allowance drawn by Mr. S. G. L. Platts, Mr. R. A. Stephen and Rai S. K. Raha Bahadur, during their tenures of office as Deputy Commissioners of Excise, after the creation of the Special Staff?

(*b*) What is the average monthly travelling allowance of the present Deputy Commissioner, Mr. Khastgir, up to March, 1922?

(*c*) Is it a fact that these officers were primarily intended for the inspection of the district offices, and to assist the District Officers with their expert advice—the supervision of the work of the Excise Intelligence Bureau being an additional charge?

(*d*) If so, will the Hon'ble the Minister be pleased to state the total number of days spent on tour by these officers from 1916-17 to 1921-22—

(*i*) in connection with the inspection of the district offices; and

(*ii*) in connection with the supervision of the Special Excise Staff?

(*e*) Will the Hon'ble the Minister also be pleased to lay on the table a statement showing trip by trip the number of tours made by the present Deputy Commissioner, Mr. Khastgir, since 1st April, 1921, mentioning—

(*i*) the places visited specifying the places where there is a special staff and where there is none;

(*ii*) the duration of halt at each place;

(*iii*) the number of days spent on tour;

(*iv*) the distance covered; and

(*v*) the travelling allowance drawn in each month?

(*f*) Were the tour programmes of this officer regularly submitted and the approval of the Excise Commissioner obtained before the journeys were undertaken?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) (1) Mr. S. G. L. Platts—Rs. 140-12-0; (2) Mr. R. A. Stephen—Rs. 149-8-0; (3) Rai S. K. Raha Bahadur—Rs. 220-4-0.

(*b*) Rs. 345-9-8.

(*c*) This is not a fact. The supervision over the work of the Provincial Excise Bureau is one of the primary duties of the Deputy Commissioner (Preventive) at Calcutta, who is also in charge of the special establishment maintained to deal with smuggling by rail and river, and the co-ordination of preventive operations in the various districts.

(*d*) The question does not arise. The touring in connection with the inspection of the district offices and in connection with other duties is intermixed.

(*e*) (*i*) to (*v*) A statement is laid on the Library table.

(*f*) This is ordinarily done as in the case of other officers.

Expenses in connection with the first general election of members of reformed Bengal Legislative Council.

66. Maulvi AZAHARUDDIN AHMED: Will the Hon'ble the Member in charge of the Appointment (Legislative) Department be pleased to lay on the table a statement showing the amount spent by the Government for each district for the last general election of the members for the Bengal Legislative Council?

The Hon'ble Sir ABD-UR-RAHIM: Two statements are laid on the table.

The first shows under twelve heads the total cost incurred for the province in connection with the last general election of members for the Bengal Legislative Council.

The second shows expenditure, district by district, in respect of the following major charges:—

(*1*) Cost of erecting polling stations.

(*2*) Cost of ballot boxes.

(*3*) Cost of printing electoral rolls.

It does not include the following items:—

(*1*) cost of paper supplied to presses for the printing of ballot papers and for printing of electoral rolls, (*2*) sundry items of expenditure in respect of which Government possess provincial totals only and

insufficient data to enable them to state the amount spent for each district.

Statement I referred to in the reply to unstarred question No. 66.

	Rs.	A.	P.
(1) Cost of erecting polling stations ...	23,051	5	0
(2) Cost of ballot boxes ...	49,206	2	0
(3) Cost of paper supplied to presses ...	38,976	6	0
(4) Cost of thumb impression pads ...	323	0	0
(5) Cost of printing electoral rolls including the final rolls for Calcutta ...	1,62,195	9	11
(6) Cost of special staff for preparing rolls for Calcutta including cost of printing draft rolls ...	19,688	3	6
(7) Cost of special staff for the preparation of the electoral rolls ...	222	4	3
(8) Special staff for Howrah ...	617	14	0
(9) Special staff for the Income-tax Office, Calcutta	744	0	0
(10) Cost of the Reforms office ...	51,646	6	2
(11) Contingent expenditure in certain districts ...	2,845	0	3
(12) Honorarium to the Collectorate staff, 24-Parganas ...	960	0	0
Total ...	3,50,476	3	1

Statement II referred to in the reply to unstarred question No. 66.

	Rs.	A.	P.
Bakarganj ...	20,465	3	2
*Bankura ...	2,031	12	4
Birbhum ...	5,636	13	4
*Bogra ...	3,456	15	9
*Burdwan ...	2,747	1	4
Chittagong ...	10,165	12	10
Dacca ...	21,237	14	9
*Dinajpur ...	2,245	0	0
Faridpur ...	6,835	9	2
Hooghly ...	10,495	7	4

N. B.—Portions of the electoral rolls of the districts marked with an asterisk were printed at the several Settlement Presses and the expenditure on this account amounts to Rs. 19,256-6-6.

		Rs.	A.	P.
Howrah	...	13,608	12	6
*Jalpaiguri	...	818	0	4
Jessore	...	15,333	15	0
*Khulna	...	6,713	2	0
*Malda	...	1,372	6	4
Midnapore	...	11,538	9	0
Murshidabad	...	7,496	1	9
Mymensingh	...	7,428	8	8
Nadia	...	12,588	5	2
Noakhali	...	6,782	3	2
Pabna	...	4,541	15	8
*Rajshahi	...	7,713	5	8
*Rangpur	...	3,647	14	8
Tippera	...	7,055	5	0
24-Parganas	...	25,971	11	7
Calcutta	...	28,555	0	3
Total	...	2,46,482	14	9

N. B.—Portions of the electoral rolls of the districts marked with an asterisk were printed at the several Settlement Presses and the expenditure on this account amounts to Rs. 19,856-6-6.

Bhairab drainage scheme.

67. Maulvi RAFI UDDIN AHMED: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state what steps have been taken for the carrying out of the Bhairab drainage scheme since the questions put on this matter in this Council?

The Hon'ble Sir SURENDRA NATH BANERJEA: The Bhairab drainage scheme has been completed and is being examined in the Superintending Engineer's office.

In the meantime it has been suggested that the Bhairab river should be re-excavated from the Ganges to 24 miles above Khulna.

Both schemes will be examined by Government before a final decision is made.

Muhammadans in the office of the Inspectress of Schools, Dacca Circle.

68. Khan Bahadur KHWAJA MOHAMED AZAM: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be

pleased to lay on the table a statement showing the number of ministerial officers under the Inspectress of Schools, Dacca Circle, and stating how many of them are Muhammadans?

(*b*) Will the Hon'ble the Minister be pleased to state the total number of vacancies which occurred in the office during 1920—22 and the number of Mussalmans appointed thereto?

(*c*) Will the Hon'ble the Minister be pleased to state whether there is any rule that all vacancies should be advertised in the newspapers or in the *Calcutta Gazette*?

(*d*) If so, will the Hon'ble the Minister be pleased to state how many of the vacancies referred to above were advertised?

(*e*) Will the Hon'ble the Minister be pleased to state whether the circular regarding the appointment of Mussalmans to the extent of 33 per cent. is applicable to the office of the Inspectress of Schools, Dacca Circle? If so, is that rule at all observed there?

(*f*) Will the Hon'ble the Minister be pleased to lay on the table a list of the candidates (Hindus and Muhammadans), for the vacancies above referred to with their qualifications, academic and special, and also the qualifications of the candidates who were appointed to fill up those vacancies?

(*g*) Will the Hon'ble the Minister be pleased to state whether it is a fact that the vacancy created by the death of the head clerk of the said office was not duly advertised and that an outsider with practically no office experience has been appointed although there were many competent Mussalman graduates as candidates for the same?

(*h*) Will the Hon'ble the Minister be pleased to state how many Mussalman mistresses and teachers are employed under the Inspectress of Schools, Dacca Circle, and how many of them have been discharged during the year 1920—22 and why?

The Hon'ble Mr. P. C. MITTER: (*a*) A statement is laid on the table.

(*b*) There were two vacancies during 1920—22, one owing to the creation of a temporary post and the other due to the death of the head clerk. The temporary post was filled by a Moslem candidate and the other had to be filled, for administrative reasons, by a Hindu clerk, who held a substantive appointment under the Education Department and for whom it became necessary to provide an appointment on the termination of the term of his deputation to the University of Dacca.

(*c*) As suitable candidates for clerical appointments are always available it is not ordinarily necessary to incur the expense of advertising.

(*d*) The temporary post was filled after advertisement. The head clerk's vacancy was not advertised.

(*e*) Yes. Steps will be taken to increase the percentage of Muhammadans if suitable candidates are available.

(*f*) Two statements of candidates are attached herewith. Reference is also invited to the reply to clauses (*b*) and (*g*).

(*g*) It was not necessary to advertise the vacancy due to the death of the head clerk as it became necessary at that time to provide a Government servant on deputation to Dacca University, with a suitable appointment. It is not true that the man appointed to the vacancy "is an outsider with practically no office experience." He entered Government service in 1912 and was a clerk in Dacca College He has ten years' experience in clerical work and was always reported a competent clerk. On the abolition of Dacca College, his substantive post was abolished and his services were placed temporarily under the University of Dacca. There he was employed under the Director of Physical Education. As the post of Director of Physical Education was abolished, the University requested the Education Department to arrange for his reversion to British Service. A suitable vacancy occurred owing to the death of the head clerk in the office of the Inspectress of Schools, Dacca Circle, and the clerk in question was appointed to it.

(*h*) Three Muhammadan teachers are employed in Model Girls' Schools. Two Moslem ladies were given temporary appointments as School Mistresses but neither of them could be confirmed as they were not considered fit for the posts.

Statement referred to in the reply to clause (a) of unstarred question No. 68, showing the number of ministerial officers under the Inspectress of Schools, Dacca Circle.

(1) Babu Arun Chandra Roy, Office Superintendent, pay Rs. 100 (class V, Subordinate Educational Service).

(2) Babu Ramesh Chandra Ghosh, head clerk, pay Rs. 60 (class VII, Subordinate Educational Service).

(3) Babu Kunjabehari Dutt, assistant clerk, pay Rs. 30 (class III, Lower Subordinate Educational Service).

(4) Babu Abanimohan Datta Gupta, assistant clerk, pay Rs. 30 (outside the Graded Service).

(5) Babu Amulya Chandra Das Gupta, assistant clerk, pay Rs. 25 (outside the Graded Service).

(6) Maulvi Abul Khayer Muhammad Bazlur Rahman (Temporary), assistant clerk, pay Rs. 25 (outside the Graded Service).

Statement referred to in the reply to clause (f) of unstarred question No. 68, showing the candidates for the post of an additional clerk created for the office of the Inspectress of Schools, Dacca Circle, from September, 1920.

(1) Monomohan Bhattacherji—Appeared in the B.A. Examination. Previous experience: Nil.

(2) Jinnat Ali—Read up to B.A. Previous experience: Served as an officiating clerk in the Dacca Head Post Office.

(3) Dhirendranath Mukherjee—Read up to B.A. Previous experience: Worked as an Assistant Teacher in a High English School and now working as Head Master of a Middle English School.

(4) Ananda Charan Mazumdar—Read up to B.A., Previous experience: Working as Head Master of a Middle English School.

(5) Chandra Kanta Sarkar—Read up to B.A. Knows Shorthand and Typewriting. Previous experience: Nil.

(6) Abdur Rashid—Passed the last B.A. Examination. Previous experience: Nil. Recommended by Khan Bahadur Abdul Aziz, retired 2nd Inspector of Schools, Dacca Division.

(7) Nandalal Basak—Read up to B.A. Previous experience: Worked as Assistant Clerk in the office of the Inspectress of Schools, Eastern Bengal and Assam, for some time.

(8) Fazlur Rahman—Read up to B.A. Previous experience: Worked as Assistant Teacher in High English Schools for some time. Recommended by Khan Bahadur Azam.

(9) Md. Abdul Jalil—Read up to I.A. Previous experience: Working as an Assistant Teacher in a High English School.

(10) Promod Ranjan Barua—Read up to the First Year Class, and passed the Teachership Examination. Previous experience: Working as an Assistant Teacher. Served as correspondence clerk of the General Post Office, Aujab.

(11) Abul Gous Kutubuddin—Read up to the First Year Class of the Jagannath College. Previous experience: Served as a temporary clerk in the office of the Joint Registrar, Co-Operative Societies. Worked as an extra clerk in the Dacca Collectorate. Now a probationer in the Dacca Central Co-operative Bank.

(12) Sayed Abdul Jabbar—Read up to I.A. Previous experience: Worked as Head Master of a Junior Madrassa.

(13) Bhagabati Charan Singh—Read up to I.A. Previous experience: Worked as Head Master of a Middle English School.

(14) Khowajali Mia—Read up to I.A. Previous experience: Worked as a clerk for some time in a High English School.

(15) Kamdar Khan—Read up to I.A. Previous experience: Nil.

(16) A. H. Shamsul Islam—Read up to I.A. Previous experience: Nil.

(17) Zakiuddin Khan—Read up to I.A. Previous experience: Worked as a clerk in connection with the cyclone relief work and now working as clerk in the office of the Inspector of Schools, Dacca Division.

(18) Gopal Chandra Munshi—Read up to I.A. Previous experience: Worked as Head Master of Middle English Schools and as a clerk in the office of the Bharat Insurance Company.

(19) Bidhu Bhusan Dhar—Read up to I.A. Previous experience: Working as Head Master of the Baniara Middle English School.

(20) Satish Chandra Roy Chaudhuri—Read up to I.A. Knows Shorthand and Typewriting. Previous experience: Nil.

(21) Abdur Rahman Mia—Read up to I.A. Previous experience: Worked as Second Master of a Junior Madrassa.

(22) Abdur Rahman—Read up to the First Year Class (I.A.). Previous experience: Worked as a clerk and Assistant Teacher for a few days in a High English School and now working as a clerk in the Sub-Registrar's Office.

(23) Shamsuddin Ahmed—Read up to I.A. and knows typewriting. Previous experience: Worked as Head Master of a Middle English School.

(24) Jogendra Nath Goswami—Read up to I.A. Previous experience: Worked as Head Master of a Middle English School. Now working as an Assistant Teacher and clerk in a High School.

(25) Nalini Kanta Bhattacharjee—Read up to I.A. Previous experience: Worked as Head Master of a Junior Madrassa.

(26) Rajani Kanta Dhar—Read up to I.A. Previous experience: Working as Head Master of a Middle English School.

(27) Sukumar Das—Passed the Matriculation Examination. Previous experience: Worked for two months as a clerk in the Court of the Subdivisional Officer, Narayanganj.

(28) Muzaffar Ahmed—Passed the Matriculation Examination. Previous experience: Working as Head Master of a Junior Madrassa.

(29) Md. Abdus Sobhan—Passed the Matriculation Examination. Previous experience: Working as an Assistant Teacher of a Junior Madrassa.

(30) N. N. Moled A. Ghani—Passed the Matriculation Examination: knows Typewriting. Previous experience: Worked as Head Master of Middle English Schools.

(31) M. Abdul Aziz—Read up to the First Year Class (I.A.). Previous experience: Working as clerk and teacher of a High English School.

(32) Fazley Ali Khan Majhi—Passed the Matriculation Examination. Previous experience: Nil.

(33) Md. Afsar Uddin—Passed the Matriculation Examination. Previous experience: Nil.

(34) Md. Khada Noaz—Passed the Matriculation Examination. Previous experience: Worked as Head Master of a Middle English School.

(35) Radhaballav Basak—Passed the Matriculation Examination and the Typewriting Examination. Previous experience: Worked as an officiating clerk in the Bengal River Police Office, Narayanganj.

(36) Nathaniel S. Biswas—Passed the Matriculation Examination this year. Knows Typewriting. Previous experience: Worked for three months as a Store-keeper.

(37) Sheikh Ahmad Ali Munshi—Passed the Matriculation Examination.—Previous experience: Nil.

(38) Rajjab Ali Miah—Passed the Matriculation Examination. Previous experience: Nil.

(39) Kazi Ashan Ullah—Passed the Matriculation Examination. Previous experience: Nil.

(40) Belayet Ali—Passed the Matriculation Examination and Typewriting Examination. Previous experience: Nil.

(41) Habibar Rahman—Passed the Matriculation Examination. Previous experience: Working as an Assistant Teacher of a Middle Madrassa.

(42) Md. Abdul Gani—Passed the Matriculation Examination; knows Typewriting. Previous experience: Nil.

(43) Md. Narul Islam—Passed the Matriculation Examination. Previous experience: Worked as Head Master of a Junior Madrassa.

(44) Md. Kala Mia—Passed the Matriculation Examination. Previous experience: Working as Head Master of a Middle English School.

(45) Tariful Islam—Passed the Matriculation Examination. Previous experience: Working as an officiating clerk in the Dacca General Post Office.

(46) Md. Abdus Samad—Passed the Matriculation Examination. Previous experience: Working as 2nd Master of a Junior Madrassa.

(47) K. Md. Bakhat—Read up to the Matriculation. Knows Typewriting. Previous experience: Worked as an assistant clerk in the office of the Civil Surgeon and now temporary clerk in this office.

(48) Mohini Mohan Ganguli—Passed the Matriculation Examination. Knows Typewriting and Shorthand. Previous experience: Worked as Teacher in Middle English and High English Schools and some time as a clerk in the Hindu Hostel, Ramna.

(49) Abdul Hamid Bhuiya—Passed the Matriculation Examination. Previous experience: Worked as a clerk in the Comilla Zilla School.

(50) Md. Ebrahim—Read up to I.A. Previous experience: Worked for some time as Head Master of Junior Madrassa.

(51) Idrak Das—Passed the Matriculation Examination. Knows Typewriting. Previous experience: Nil.

(52) Dudh Mia—Passed the Matriculation Examination. Previous experience: Working as a 2nd Master of a Middle English School.

(53) Dewan Serajuddin Ahmed—Passed the Matriculation Examination. Previous experience: Worked as a 2nd Master in a Middle English School and now working as a clerk in a High English School.

(54) Nihar Ranjan Sen Gupta—Passed the Matriculation Examination. Previous experience: Nil.

(55) Ashraf Ali—Passed the Matriculation Examination. Previous experience: Nil.

(56) Shyam Sundar Saha—Passed the I.A. Examination. Previous experience: Worked as clerk and copyist in the Deputy Magistrate's Court for several months.

(57) Nalini Kanta De—Passed the Matriculation Examination. Previous experience: Working as 2nd Master in a Middle English School.

(58) Jamini Kanta Ghosh.—Passed the Matriculation Examination. Previous experience: Worked as 2nd Master of a Middle English School.

(59) Priyanath Nascar—Passed the Matriculation Examination. Previous experience: Was an Auditor in the office of the Deputy Accountant-General, Posts and Telegraphs, Nagpur. Worked as a temporary accounts clerk in the office of the

Executive Engineer, Nagpur, and as a clerk in the office of the Accountant-General, Posts and Telegraphs, Calcutta.

(60) Gyasuddin Ahmed.—Passed the B.A. Examination. Previous experience: Worked as Head Master of Middle English Schools and officiated for the clerk in a High English School.

(61) Kalimulla—Passed the B.A. Examination. Previous experience: Worked for some time in the Dacca Commissioner's office and as Teacher in some schools. Remarks: Appointed from 1st November, 1920. Resigned of his own accord from 6th February, 1921. One Muhammadan graduate was appointed in his place from 10th February, 1921, who is still serving here.

(62) Akshoy Kumar Ghosh—Passed the B.A. Examination. Previous experience: Working as an Assistant Teacher in a High English School.

(63) Sultan Bazid—Passed the B.A. Examination. Previous experience: Worked for some time as a Teacher.

(64) Md. Safiruddin—Passed the I.A. Examination. Previous experience: Working as a Teacher in a High English School.

(65) Santosh Kumar Sen Gupta—Read up to I.A. Previous experience: Nil.

(66) Krishna Chandra De—Read up to I.A. Previous experience: Worked as a typist clerk in the office of the Superintendent of Police.

(67) Md. Mustafa—Read up to I.A. Previous experience: Worked as officiating Assistant Sub-Inspector of Schools. Worked as a clerk and typist in the offices of Mr. A. L. Godden, Narayanganj, Bengal River Police and Narayanganj Municipal Office.

(68) Nasir Uddin Ahmed—Passed the Matriculation Examination. Previous experience: Worked as a Secretary, Moslem Imperial Association, Dari Bhelanagore.

(69) Md. Jonab Ali—Read up to I.A. Previous experience: Worked as Head Master of a Middle English School.

(70) Ganesh Lal Roy—Read up to I.A. Previous experience: Temporarily worked as Excise Sub-Inspector and in the Land Registration Department.

(71) Nazir Ali—Passed the Matriculation Examination. Previous experience: Worked as 2nd Master in a Middle English School and as a clerk in the office of the Executive Engineer, Duars Road Division.

(72) M. Ismail Khandakar—Passed the Matriculation Examination. Previous experience: Nil.

(73) Md. Abdur Rahman—Passed the Matriculation Examination. Previous experience: Nil.

(74) Muhabot Ali Mia—Passed the Matriculation Examination. Previous experience: Nil.

(75) Md. Samin Uddin—Passed the Matriculation Examination. Previous experience: Worked as 2nd Master of one Middle English School and now a clerk in the Keraniganj High English School.

(76) Banwarilal Chakravarti—Passed the Matriculation Examination. Previous experience: Nil.

(77) Abdul Aziz Mia—Passed the Matriculation Examination. Previous experience: Acted as a clerk in a High English School.

(78) Nawab Ali Mia—Passed the Matriculation Examination. Previous experience: Nil.

(79) Md. Muksedali—Passed the Matriculation Examination. Previous experience: Nil.

(80) Shahar Uddin Ahmed—Passed the Matriculation Examination. Previous experience: Working as 2nd Master in a Middle English School.

(81) Mahi Uddin—Passed the Matriculation Examination. Previous experience: Worked as a clerk in the Gun and Shell Factory, Cossipore.

Statement referred to in the reply to clause (f) of unstarred question No. 68, showing the candidates for the post of head clerk in the office of the Inspectress of Schools, Dacca Circle.

(1) Mofizuddin Ahmad—Passed the B.A. (Honours in English) and passed the Board qualifying examination at Dacca for appointments in the Upper Division of the Imperial Secretariat. Previous experience: Worked as Head Master, Hammadia Madrassa, Dacca, for above two years and had to run all the office work there as a temporary assistant in the Commissioner's office, Dacca.

(2) Amiyansu Kumar Das Gupta—Passed the B.A. (Honours in English) and M.A. in English and as well equipped with the Degree of Bachelor of Teaching. Previous experience: Worked as Head Master of two High English Schools and as Assistant for six months in the Political Department of the Bengal Secretariat. Remarks: Appointed head clerk from the 21st August, 1922. Acting as Superintendent from the 7th October, 1922.

(3) Girish Chandra Das—Appeared at the I.A. Examination. Knows Typewriting. Previous experience: Served temporarily for a year in the office of the Inspectress of Schools, Presidency and Burdwan Divisions, and also in the office of the Assistant Inspectress of Schools, 24-Parganas, Jessore and Khulna and Calcutta.

(4) Muhammad Kharati—Matriculate and read up to I.A. Previous experience: Nil.

(5) J. R. Ghosh—Read up to I.Sc. standard. Knows Shorthand and Typewriting. Previous experience: Serving as a Shorthand-Typist as well as Tour Assistant in the office of Co-operative Societies, Rajshahi Division, Naogaon.

(6) Monsurur Rahman—Passed the B.A. Previous experience: Worked in the office of the Assam-Bengal Railway Company for some months as Subordinate Auditor and Clerk and now working in the Director of Agriculture's office, Bengal.

Dacca Madrassa.

69. Khan Bahadur KHWAJA MOHAMED AZAM: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) what are the functions, powers and duties of the governing body of a college;

(*ii*) who is the final authority who appoints a governing body;

(*iii*) what principle is followed in the appointment of members; and

(*iv*) what are the qualifications requisite of a member?

(*b*) Will the Hon'ble the Minister be pleased to state whether there is or was any governing body for the Dacca Intermediate Madrassa?

(*c*) If so, who were the members for the sessions 1921-22, and 1922-23, respectively?

(*d*) What, if any, important matters (appointment, transfer, leave, sanction of new posts, etc.) arose in connection with the affairs of the Dacca Intermediate Madrassa, during the period of the last 16 months.

(*e*) Will the Hon'ble the Minister be pleased to state who is responsible for the management of the affairs in the Dacca Madrassa and for bringing important matters to the notice of the governing body?

(*f*) Is there any whole-time principal at the head of the Dacca Madrassa?

The Hon'ble Mr. P. C. MITTER: (*a*)(*i*) For the functions, powers and duties of the governing bodies of Government colleges please see

rules under section III, sub-section A, of the Rules and Orders of the Education Department, a copy of which is laid on the Library table, but there are no rules defining the functions, powers and duties of the governing bodies of aided colleges.

(*ii*) Government in the case of a governing body of a Government college and the Director of Public Instruction in the case of the governing body of an aided college.

(*iii*) The principle observed in the appointment of the members of the governing body of a college is as follows:—

Influential local men who take interest in the college are generally appointed as such, and under rule 6(*a*), Chapter XVIII of the University Regulations, the teaching staff of the college is represented on the body.

(*iv*) There are no rules regulating the qualifications of a member of the governing body of a college.

(*b*) and (*c*) The Dacca Madrassa has not yet been raised to the status of an Islamic Intermediate College, but a governing body for the Madrassa has been appointed for the academic year 1922-23 in Government notification No. 2552-Edn., dated the 12th December, 1922. A copy of the notifications showing the names of the members for the sessions 1921-22 and 1922-23 is laid on the Library table.

(*d*) No new post was created during the period referred to. Leave was, however, granted during this period to two officers and officiating arrangements were made in their places. One officer was transferred under the order of the Director of Public Instruction who also suggested the officer who should take his place.

(*e*) The Principal, Dacca Madrassa, is primarily responsible for the management of the Madrassa and as *ex-officio* secretary to the governing body is also responsible for bringing important matters to the notice of the governing body.

(*f*) Yes.

Messrs. Parrott and Farnell, of "Entally Riots" case.

70. Mr. H. BARTON: (*a*) Is the Hon'ble the Member in charge of the Political Department aware of the findings of the Sessions Court, Alipore, in respect of the case, King Emperor *versus* Parrott and Farnell, in what is known as the "Entally Riots" case, resulting in the acquittal of the accused?

(*b*) Is it a fact that the learned Sessions Judge in his summing up characterised the prosecution as "malicious," saying that "it should never have been made" and that "it should never have gone to his court"?

(c) Are the Government considering the desirability of compensating Messrs. Parrott and Farnell for the humiliation, agony of mind and pecuniary loss sustained as a result of the prosecution?

The Hon'ble Mr. H. L. STEPHENSON: (a) Yes.

(b) No.

(c) No.

Anglo-Indians and Small Causes Court Judgeships.

71. Mr. H. BARTON: (a) With reference to the reply given on the 27th November, 1922, to unstarred question No. 120, will the Hon'ble the Member in charge of the Judicial Department be pleased to give the date on which the last vacancies were filled?

(b) Were the vacancies at all notified and were candidates invited to apply?

The Hon'ble Sir ABD-UR-RAHIM: (a) 16th October, 1918; 23rd January, 1920; 29th October, 1920.

(b) The answer is in the negative.

Judicial and executive functions.

72. Babu JATINDRA NATH BASU: (a) With reference to the question of the separation of judicial and executive functions, will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether the examination of the scheme outlined in the report of the Committee has been completed?

(b) When is it likely that the report and the scheme will be published?

The Hon'ble Mr. H. L. STEPHENSON: (a) No.

(b) The report has already been published.

Subordinate Educational Service.

73. Babu HEM CHANDRA BHATTACHARJI: (a) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(i) the number of graduates in the list of English teachers of the Government schools;

(ii) the number of them who originally accepted posts in the Subordinate Educational Service; and

(iii) the number of the latter who will be in a position to reach the maximum of Rs. 200 in 25 years in the ordinary course?

(*b*) Is it a fact that many of the English teachers cannot rise automatically from Rs. 75—5—200, as is the case with the new recruits?

(*c*) If so, what is the number?

(*d*) Is it a fact that, under the new time-scale, some graduate teachers who originally entered into the Subordinate Educational Service are allowed to draw Rs. 110 a month at the end of 12 years' service, whereas a new recruit will be allowed to draw Rs. 135 a month at the end of the same period of service, *i.e.*, 12 years?

(*e*) Is it a fact that it has been admitted by the Reorganization Committee that the members of the Subordinate Educational Service have long been underpaid?

(*f*) Will the Hon'ble the Minister be pleased to state whether it is in the contemplation of the Government to take steps to see that these officers do not sustain this monthly loss of Rs. 25 a month in comparison with new recruits?

The Hon'ble Mr. P. C. MITTER: (*a*) A statement is laid on the table.

(*b*) Promotion to the higher scale not being automatic, no specific answer is possible.

(*c*) In view of the answer to (*b*) the question does not arise.

(*d*) Yes. The reason is obvious. The conditions of the graded Subordinate Educational Service regulated increments of pay previous to the reorganization, whereas the new recruits will get the advantage of the more liberal terms of the new scale.

(*e*) In the opinion of the Reorganization Committee "many officers belonging to the Subordinate Educational Service have long been underpaid."

(*f*) No.

Statement referred to in the reply to unstarred question No. 73, showing the number of graduate English teachers in the Subordinate Educational Service.

(*i*) The number of graduates in the list of English teachers of the Government schools—208.

(*ii*) The number of them who originally accepted posts in the Subordinate Educational Service—118.

(*iii*) The number of the latter who will be in a position to reach the maximum of Rs. 200 in 25 years in the ordinary course—56.

Dispensary at Narayanpur (Barrackpore).

74. Rai HARENDRANATH CHAUDHURI: (*a*) With reference to my unstarred question No. 135 asked at the meeting of the Council on

1st December, 1921, will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the District Health Officer's "revised programme of dispensaries to be opened" in the district of 24-Parganas "in order of their urgency" has been prepared?

(*b*) If so, will the Hon'ble the Minister be pleased to lay on the table a copy of the programme together with a copy of the district board's resolution, if any, to give effect to the programme?

(*c*) If no programme has yet been prepared, will the Hon'ble the Minister be pleased to state whether it is the intention to give effect to the Sanitation Committee's proposal to establish a dispensary at Narayanpur (in Barrackpore rural area), a proposal which was accepted by the district board at its meeting held on the 15th July, 1919?

(*d*) Is it a fact that the district board is not in a position to give effect to the programme or proposal even after the realization of a large amount of cesses this year on account of the Magrahat drainage scheme?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble the Minister be pleased to state whether the Government are considering the desirability of starting a dispensary at Narayanpur out of the grant provided for in the Supplementary Budget of the last July Session (under head 32, Scheme 19)?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) Yes. Government are informed that the District Health Officer has prepared a programme but that it has not yet been submitted to the District Board. Hence no copy can be placed on the table.

(*c*) Government are informed that the District Health Officer, after considering the question of medical relief for the whole district, has recommended a subsidized dispensary at Narayanpur, but his proposals have not yet been considered by the Board.

(*d*) Government have no information.

(*e*) The question does not arise.

Rai HARENDRANATH CHAUDHURI: Is the Hon'ble the Minister aware that a resolution was come to some time before by the 24-Parganas district board to establish a charitable dispensary at Narainpur?

The Hon'ble Sir SURENDRA NATH BANERJEA: No; I am not aware of it.

Filtered water-supply to Barnagore municipality.

75. Rai HARENDRANATH CHAUDHURI: (*a*) With reference to the answers given on the 23rd August last to my unstarred questions Nos. 22 and 50, will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the Calcutta

Corporation is in a position to supply the requisite quantity of filtered water for the remaining 22,000 souls of the Barnagore municipality which is situated at a very short distance from the overhead tank at Tallah?

(*b*) Is it not a fact that the Calcutta Corporation supplies far greater requirements of filtered water to other municipalities more remote than Barnagore?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Government are informed that at present about 4,000 people out of a population of 26,000 obtain about 4 gallons of water a head per day from the Calcutta supply and that the Calcutta Corporation are at present not in a position to supply water to the remaining 22,000 residents of Barnagore.

(*b*) The answer is in the affirmative. The water is supplied under a long-standing arrangement made under special circumstances.

Rai HARENDRANATH CHAUDHURI: Will the Hon'ble the Minister be pleased to state when and under what circumstances special arrangements for the supply of filtered water to the remoter municipalities were made?

The Hon'ble Sir SURENDRA NATH BANERJEA: I want to have notice of this question.

Tetulia-Sripur Khal and Madaripur Bil Route canal embankment.

76. Babu BHISHMADEV DAS: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state whether the people of the Gopalganj subdivision of Faridpur urged in their addresses of welcome presented to the Hon'ble the Minister in charge of Agriculture and Public Works at Gopalganj during his last visit the importance of excavating the Tetulia-Sripur Khal and opening more sluice gates in the embankment on the south bank of the Madaripur Bil Route canal?

(*b*) If so, what steps, if any, are being taken in the matter?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Yes.

(*b*) The question of excavating the Tetulia-Sripur Khal and opening more sluice gates in the embankment on the south bank of the Madaripur Bil Route canal is under consideration of Government.

Defalcations in the office of Commissioner of Excise.

77. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) the total amount of defalcations in the office of the Commissioner of Excise during the current year;

(*ii*) the steps that have been taken to compensate the Government for the loss;

(*iii*) the name of the officer or officials during whose control such defalcations took place; and

(*iv*) the action the Government are proposing to take to prevent a recurrence of the same?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) There were no defalcations in the current year. There were, however, some defalcations prior to July, 1921, and these are now under the consideration of Government.

(*ii*) to (*iv*) The questions do not arise.

Statements of certain police officers in the case of Sarat Chandra Dhar "versus" Sub-Inspector P. N. Mukharji of the Calcutta Police.

78. Rai Dr. HARIDHAN DUTT Bahadur: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table copies of the statements in writing which the following police officers made on the 8th March, 1922, in connection with the alleged assault on Sarat Chandra Dhar—

(*i*) by the sub-inspector Provat Nath Mukharji in the lock-up of the Jorabagan thana on the 7th March, 1922;

(*ii*) by the assistant sub-inspector Sarat Kumar Banerji;

(*iii*) by the constable Jhummar Kor;

(*iv*) by the assistant sub-inspector Karunamay Mondol; and

(*v*) by the assistant sub-inspector Mamizuddin Ahmed?

(*b*) Will the Hon'ble the Member be pleased to state whether the aforesaid statements of the 8th March, 1922, of the said police officers were submitted to the Deputy Commissioner of Police, North Division, Calcutta, or forwarded to the Second Presidency Magistrate, when he had called for all the "police papers" on the 11th March, 1922?

(*c*) If the statements were not submitted or forwarded, will the Hon'ble the Member be pleased to state the name of the officer responsible for this?

(*d*) Will the Hon'ble the Member be pleased to state whether any fresh statements were taken from the aforesaid police officers on or about the 14th March, 1922, in connection with the aforesaid case? If so, why and by whom?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) The statements are on the judicial record of the case and it is nott considered necessary to call for copies of them.

(*b*) to (*d*) The statement of (*i*) was recorded on the 9th March by the Assistant Commissioner and was included in the police papers submitted to the Deputy Commissioner and sent to the Magistrate. No statements by the others were on record, their examination having been verbal except No. (*iii*) who had not been examined at all. When the Magistrate called for papers, Nos. (*ii*), (*iv*) and (*v*) were instructed by the Assistant Commissioner to give written statements. These were supplied by them about the 14th March and sent to the Magistrate. In July, sub-inspector Mofizuddin Ahmed produced in Court statements of Nos. (*ii*), (*iii*), (*iv*) and (*v*) said to have been recorded by him on the 8th March. These alleged statements had not been shown to the Deputy Commissioner when he inquired on the 8th March and were not produced by the sub-inspector till July. Suitable notice has been taken by the Commissioner of the sub-inspector's conduct.

Goonda Department of Calcutta Police.

79. Rai Dr. HARIDHAN DUTT Bahadur: Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) when the "Goonda Department" of the Calcutta Police was created;

(*ii*) what is its present strength and cost;

(*iii*) how many cases of "Goondaism" were dealt with by the Calcutta Police (C.I.D. and thanas) during the five years preceding the creation of the "Goonda Department"; and

(*iv*) how many cases of "Goondaism" have been dealt with by the "Goonda Department" since its creation and how many cases by the thanas?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) The special staff to deal with goondaism was appointed on the 1st September, 1920.

(*ii*) One Assistant Commissioner, one inspector, two sub-inspectors, two assistant sub-inspectors, one head constable and six constables. The yearly cost is Rs. 22,000.

(*iii*) "Goondaism" usually takes the form of robbery. The figures of reported cases of robbery are—

1916	...	...	21
1917	...	...	22
1918	...	...	26
1919	...	...	45
1920	...	...	99
1921	...	...	149

(*iv*) Complaints are reported at the police sections and are investigated by the section staff. In some cases the special staff assists; the bulk of its work is devoted to preventive measures, including the registration of "goondas," and the compilation of detailed information as to their history and distribution.

Silting up of Chaktai khal.

80. Babu ANNADA CHARAN DUTTA: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been drawn to the prevalence of fever mostly malarious in the District of Chittagong?

(*b*) Has any investigation been made to ascertain the reasons for the deterioration of the climate of the district?

(*c*) Has it been considered whether the deterioration of the climate is partly due to the silting up of the Chaktai in the east of the town and other natural drainage channels in the interior and also to the system of water-supply in the various parts of the district?

(*d*) If so, what steps are the Government taking in the matter?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The mortality from "fevers" in the district of Chittagong in 1921 was practically the same as it was in 1916 and lower than in 1912, 1913, 1914 and 1915. The mortality was the highest during 1918 and 1919 probably on account of the influenza pandemic. Compared with the other districts of Chittagong division, viz., Noakhali and Tippera, the fever mortality in the Chittagong district is decidedly higher.

From the dispensary returns it appears that in Chittagong town malaria has increased since 1920 and in certain thanas, viz., Sitakund, Fatikchari, Pamora and Cox's Bazar, since 1918-19.

(*b*) No malaria survey has been made in the Chittagong district and the Director of Public Health is at present unable to depute any of his regular staff for this work while the financial position does not permit the employment of an additional temporary establishment.

(*c*) Government have no information on this point and the causes of the incidence of malaria in the Chittagong district cannot be definitely stated unless a detailed malaria survey is made.

(*d*) Government are at present not in a position to undertake special measures for the abatement of malaria in the Chittagong district.

Cholera in Bengal.

81. Babu INDU BHUSHAN DUTTA: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be

pleased to lay on the table a statement, showing the number of cholera cases, that occurred in Bengal, during the five months from January to May, 1922, district by district, with special reference to the following—

(*i*) number of cholera cases;

(*ii*) number of deaths;

(*iii*) number attended by—

(*a*) Government doctors;

(*b*) district board doctors;

(*iv*) number of doctors sent out by Government—

(*a*) to treat cholera cases;

(*b*) on sanitary work for the prevention of cholera;

(*v*) number of doctors sent out by the district boards—

(*a*) to treat cholera cases;

(*b*) on sanitary work for the prevention of cholera?

The Hon'ble Sir SURENDRA NATH BANERJEA: Two statements are laid on the table. No information is available with regard to clause (*iii*) of the question.

Statement referred to in the reply to unstarred question No. 81, showing the number of doctors sent out by Government and District Boards (a) to treat cholera cases and (b) on sanitary work for the prevention of cholera during five months from January to May, 1922.

District.	Number of doctors sent out by Government.		Number of doctors sent out by District Boards.		Remarks.
	For treatment of cholera cases.	On sanitary work for the prevention of cholera.	For treatment of cholera cases	On sanitary work for the prevention of cholera.	
Burdwan	...	...	26	1	
Birbhum	...	...	12	5	
Bankura	...	...	1	1	The services of local doctors were utilized.
Midnapore	...	...	13	13	
Hooghly	...	...	4	4	
Howrah	...	...	...	1	
24-Parganas	1	1	29	29	
Nadia	...	...	3	1	
Murshidabad	...	...	1	...	
Jessore	...	...	3	4	
Khulna	4	4	9	9	
Rajshahi	1	1	12	12	
Dinajpur	...	...	3	3	
Jalpaiguri	...	...	...	...	No epidemic.
Darjeeling	...	...	...	...	No epidemic
Rangpur	...	...	2	2	
Bogra	...	...	...	...	No epidemic.
Pabna	...	...	5	5	
Malda	...	...	2	2	
Dacca	6	6	25	1	Sanitary Supervisor.
Mymensingh	1	1	20	20	
Faridpur	...	...	10	11	
Bakarganj	...	...	3	1	
Chittagong	...	...	4	4	
Noakhali	...	...	31	31	
Tippera	...	...	7	7	

NOTE.—In most districts medical officers deputed to treat cholera cases did sanitary work for the prevention of cholera.

Statement of attacks and deaths from cholera in Bengal from January to May, 1922, referred to in the reply to unstarred question No. 81.

District.	January.		February.		March.		April.		May.		Total.	
	Attacks.	Deaths.	Attacks.	Deaths.	Attacks.	Deaths.	Attacks.	Deaths.	Attacks.	Deaths.	Attacks.	Deaths.
Burdwan	13	6	48	8	120	55	176	96	192	134	549	299
Birbhum	...	...	3	3	26	13	26	7	11	6	66	29
Bankura	4	1	14	10	13	6	33	23	40	23	104	63
Midnapore	81	46	120	81	254	161	271	120	265	148	991	556
Hooghly	26	14	27	16	97	9	32	17	40	46	152	102
Howrah	180	122	176	124	244	221	256	243	154	199	1,010	909
24-Parganas ...	281	204	326	181	700	370	719	453	452	286	2,478	1,494
Nadia	33	20	4	2	18	12	287	159	95	43	437	236
Murshidabad ...	47	37	111	64	142	120	83	52	101	78	484	351
Jessore	*	215	*	73	*	293	*	507	*	345	*	1,487
Khulna	128	101	97	66	130	95	368	280	228	192	951	684
Rajshahi	331	208	109	65	363	227	918	672	211	206	1,932	1,378
Dinajpur	15	8	52	43	2	2	39	29	12	6	120	88
Jalpaiguri	1	1	...	...	...	...	...	...	...	...	1	1
Darjeeling	...	...	...	...	...	...	...	...	...	...	...	...
Rangpur	14	9	2	1	..	...	11	10	3	1	30	21
Bogra	9	7	...	...	4	4	29	15	27	14	69	40
Pabna	25	14	...	...	10	6	97	40	54	42	186	102
Malda	18	11	16	13	9	3	1	...	...	...	44	27
Dacca	109	77	6	5	302	128	219	133	10	3	646	346
Mymensingh ...	641	328	336	192	228	149	976	552	702	484	2 883	1,705
Faridpur	55	34	17	13	223	127	369	228	78	47	742	449
Bakarganj	12	11	11	5	170	97	418	262	368	244	979	619
Chittagong	*	5	*	...	*	6	*	96	*	16	*	123
Noakhali	*	93	*	72	*	49	*	182	*	118	*	* 674
Tippera	359	247	180	109	224	118	319	226	235	143	1,317	834

* Figures not reported.

Pay of ministerial officers.

82. Babu INDU BHUSHAN DUTTA: (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state what was the amount provided in the budget for 1922-23 for the revision of pay of the ministerial establishments?

(*b*) Will the Hon'ble the Member be pleased to state what amount will he actually required to give effect to the recommendations made in the Majority Report of the Salaries Committee as restricted by Government in the Resolutions No. 10278-F., dated 17th July, 1922; No. 10646-F., dated 27th July, 1922; and No. 12196-F., dated 25th August, 1922?

(*c*) Will the Hon'ble the Member be pleased to state what savings are likely to be effected by the restrictions referred to above and how the savings are proposed to be utilized?

The Hon'ble Mr. J. DONALD: (*a*) Rs. 27,82,126.

(*b*) To answer this would involve an examination in the Accountant-General's office of the effect of the rules regarding the revision of pay in the case of every clerk in the province. In the opinion of Government, the time and labour involved therein would be wholly incommensurate with the value of the information when obtained.

(*c*) Should the actual cost of the revision be less than the amount provided in the budget, the difference will be merged in the provincial balances.

Enlisted peons in Bakarganj civil courts.

83. Maulvi FAZLAL KARIM: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state the number of enlisted peons who have been acting in the munsifi of the Bakarganj district for the last 10 years and upwards?

(*b*) Are the Government considering the desirability of making a rule to the effect that in each district the vacancies in the permanent post will always be filled in by the peons named in the list of the district in order of their seniority?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) 81.

(*b*) Inquiry is being made into the matter.

Influenza in Bengal.

84. Maulvi FAZLAL KARIM: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing the number of influenza cases in the different districts of Bengal from January to October, 1922?

(*b*) Will the Hon'ble the Minister be pleased to state whether there has been any increase in the number of such cases in 1922 as compared with 1921 and 1920?

(*c*) If so, what are the figures?

(*d*) Will the Hon'ble the Minister be pleased to state whether any steps have been taken to cope with the disease in the districts of Bengal?

(*e*) Are the Government considering the desirability of appointing any specialists to make researches in order to find out the root-cause of the disease?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Accurate figures showing the number of influenza cases in the different districts are not available. The figures reported from districts represent only a fraction of the actual cases that occur.

(*b*) and (*c*) Figures of 1922 are not available. In 1921 there were about 45,000 deaths from influenza as compared with 150,000 in 1920. Extracts of the paragraphs on influenza from the Annual Sanitary Reports for the years 1920 and 1921 are laid on the Library table.

(*d*) The Public Health Department has not a sufficient executive staff to provide an adequate executive agency for combating the ravages of influenza. It is primarily the duty of the local bodies concerned to organize measures for the prevention and check of the disease. The Public Health Department exercises advisory functions, issues instructions as to the measures to be taken, and obtains supplies of influenza vaccine for the local bodies.

(*e*) The answer is in the negative.

Inconvenience of school-going people of Patuakhali owing to inadequate means of communication.

85. Maulvi FAZLAL KARIM: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing the number of—

(*i*) primary schools,

(*ii*) middle vernacular schools,

(*iii*) other village schools, and

(*iv*) maktabs,

in the Patuakhali subdivision, which have not got proper means of communication with the different villages?

(*b*) Is the Hon'ble the Minister aware that the students cannot attend these schools throughout the year owing to the lack of communications?

(*c*) Are the Government considering the desirability of instituting an inquiry into this matter of communications?

The Hon'ble Mr. P. C. MITTER: (*a*) Exclusive of girls' schools—(*i*) 497; (*ii*) 5; (*iii*) 8; (*iv*) 302.

(*b*) The subdivision is densely interspersed with khals and rivers. Some inconvenience is felt by students in attending schools, especially during the rainy season owing to insufficiency of roads. Attendance can be improved, if new roads and bridges over khals are opened.

(*c*) Does not concern this department.

Standing Committee of Commerce and Marine.

86. Babu DEBI PROSAD KHAITAN: (*a*) Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state whether any meeting has been called this year of the Standing Committee of Commerce and Marine?

(*b*) If so, will the Hon'ble the Member be pleased to state the dates thereof and the subjects brought before it for consideration?

(*c*) Will the Hon'ble the Member be pleased to state whether an amendment of the constitution of the Calcutta Port Trust is under consideration?

(*d*) If so, at what stage is it at present and when may it be expected to be brought before this Council?

(*e*) Has the Standing Committee on Commerce and Marine been at all consulted in regard thereto? If not, why not?

(*f*) Will the Hon'ble the Member be pleased to state whether representations have been made to the Government by the Bengal National Chamber of Commerce and the Marwari Association for the appointment of an independent committee to inquire about the Associations or Exchanges called *Baras* in Calcutta?

(*g*) Has the Committee on Commerce and Marine been consulted in regard thereto? If not, why not?

(*h*) Will the Hon'ble the Member be pleased to state what, if any, steps do the Government propose to take in regard to the said representations?

The Hon'ble Mr. J. DONALD: (*a*) No.

(*b*) See answer to (*a*).

(*c*) The question of increasing Indian representation on the Calcutta Port Trust is under consideration.

(*d*) The local Government have obtained the views of the Calcutta Port Commissioners and the leading mercantile associations and have forwarded them to the Government of India with an expression of their opinion. When the Government of India have come to a decision the question of legislation will be taken up.

(*e*) The question was raised by the Government of India and pending their decision the matter has not been placed before the Standing Committee.

(*f*) No representation on this subject has been received from the Bengal National Chamber of Commerce. A letter, dated the 26th September, 1922, has been received from the Marwari Association, in the last paragraph of which it was suggested that an inquiry might be held " by competent persons."

(*g*) No, because the matter is still under the consideration of Government and because a resolution on this subject is pending before the Bengal Legislative Council.

(*h*) The matter is under consideration.

Non-co-operator prisoner, Babu Purna Chandra Das, in Dacca jail.

87. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state the present state of health of Babu Purna Chandra Das, a non-co-operator prisoner in Dacca jail?

(*b*) Is it a fact that he had been suffering from a most distressing condition of health due to colic and piles and profuse bleeding and that he needed an operation?

(*c*) Is it a fact that he prayed to be removed to the Alipore Jail on the ground that he would get facilities there to undergo the operation but that his prayer was refused?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble the Member be pleased to state why his prayer was refused?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) His health is fair and is not causing any anxiety. He is in considerably better health now than when he was admitted to the Dacca Central Jail on the 6th March, 1922.

(*b*) He gave a history of having suffered from bleeding piles for sixteen years. He was admitted to the Jail Hospital on the 13th March, 1922, for the above complaint and discharged on the 21st of that month. No operation was considered necessary for the piles.

(c) and (d) No operation was necessary and Government are not aware whether he applied for a transfer on this ground. Government, however, received suggestions that he should be transferred to Calcutta, one, on the ground that he had certain complaints including dysentery and piles and that the climate of Dacca did not suit him, and the other, on the ground that he had dysentery. Both stated he required better medical treatment and nothing was said about an operation. On inquiry it was ascertained that a transfer on purely medical grounds was quite unnecessary.

Proceedings initiated by Sadar Subdivisional Officer, Pabna, against Babu Gopal Chandra Sarkar.

88. Rai MAHENDRA CHANDRA MITRA Bahadur: (a) Will the Hon'ble the Member in charge of the Political Department be pleased to state the result of the inquiry and the proceedings initiated by Mr. Chuni Lal Mukerjee, Sadar Subdivisional Officer, Pabna, against Babu Gopal Chandra Sarkar, of Chithalia, police-station Pabna, a pensioner, late Inspector of Schools, Dacca Division, and late officiating Curator, Bureau of Education, Government of India, on the allegation that he refused to pay a subscription amounting to one-fourth of what he pays as yearly chaukidari tax for the reception of His Excellency the Governor of Bengal at Pabna on demand by a private gentleman Babu Ram Lal Joardar and that he used abusive language towards him?

(b) Will the Hon'ble the Member be pleased to lay on the table a copy of the report of the magisterial inquiry into the matter and the subsequent proceedings of the case?

(c) Will the Hon'ble the Member be pleased to state whether the Subdivisional Officer, Pabna, obtained the approval of the Government to the course of action taken by him?

The Hon'ble Mr. H. L. STEPHENSON: (a) On a written complaint under section 504, Indian Penal Code, Babu Gopal Chandra Sarkar was asked to show cause why he should not be prosecuted. On his denying the charge the complainant was ordered to produce his evidence. The complaint was eventually withdrawn.

(b) The magisterial inquiry was not completed before the case was dropped at the instance of the complainant.

(c) No; such approval was not necessary.

Assistant Director of Public Health, Industrial Area in the 24-Parganas.

89. Rai MAHENDRA CHANDRA MITRA Bahadur: (a) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state the name, qualifications and salary of the Assistant Director of Public Health, Industrial Area in the 24-Parganas?

(*b*) Has this appointment been created in addition to that of the Assistant Director of Public Health, Presidency Division?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Name—Dr. G. L. Batra; Qualifications—M.B., Ch. B. (Edin.), D.P.H. (Durham); Salary—Pay Rs. 500 rising to Rs. 1,000 in 20 years; temporary allowance—33⅓ per cent. of pay.

Dr. Batra is now drawing Rs. 800 a month inclusive of the temporary allowance.

The jurisdiction of this officer is not confined to the 24-Parganas district only but extends to the whole province.

(*b*) The reply is in the affirmative. In view of the financial position, this post will for the present be abolished, Dr. Batra being transferred to a leave vacancy.

Septic tank effluents into the Hooghly.

90. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) With reference to the reply to my unstarred question No. 3(*j*) asked at the meeting of the 21st November, 1921, will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state the names and designations of the officers responsible for not enforcing rule 19 (*viii*) (*b*) of the Bengal Factory Rules, 1912, which lays down that "Septic Tank effluents should be sterilized before being discharged into the river"?

(*b*) What steps are the Government proposing to take in the matter?

(*c*) Is any systematic analysis made of drinking water supplies for determining their potability as required under the provision of rule 20(*i*) of the Bengal Factory Rules, 1912?

(*d*) In the cases of how many factories have the drinking water supplies been examined and with what results?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) The Inspector of Septic Tank installations is the officer who is responsible for the enforcement of the rule referred to. The reply given to clause (*j*) of the member's previous question requires amplification. Every septic tank latrine attached to a mill is provided with a chlorinating apparatus and the fortnightly reports received from managers states that the rules in regard to sterilization are being carried out, but the investigations by the Inspector of Septic Tanks and other officers of the Public Health Department throw grave doubt upon the general efficacy of the method of sterilization employed. At the time when the reply was drafted, in the opinion of the Inspector, only in four instances was sterilization considered to be satisfactory. This, however, does not mean that the rule was not being carried out, but

that the results obtained did not conform to the standard which the department would like to see maintained. The mill authorities have stated that they are prepared to put in any modification of chlorinating apparatus provided that the Director of Public Health will give them a definite assurance that the apparatus chosen will be acceptable, but they object to incurring expenditure on apparatus without some assurance of finality. The difficulty is to lay down a hard and fast rule, because a method of sterilization which will give good results in certain conditions may not be successful with a different effluent under different conditions. As a matter of fact in 30 cases improved chlorinating apparatus has been installed at the instance of the Public Health Department and this shows that the question has not been overlooked. Experiments have also been undertaken with a view to ascertain which of the modifications introduced may be counted upon to give reliable results. At present it is impossible to state definitely that absolute sterilization can be secured by the use of either of the types of chlorinator at present employed and it will not be possible to ascertain this until further work has been accomplished. The newly appointed Director of the Public Health Laboratory states that he can arrange for a bacteriological examination of 90 effluents a month and the Director of Public Health proposes to ask him to carry out this work with a view to coming to a definite conclusion as to the type of chlorinator which should be made standard for septic tank latrine practice.

(*c*) Yes. The Commerce Department propose to issue the following rule (which has been published preliminarily) under section 37 of the Indian Factories Act, 1911 (XII of 1911), as amended by the Indian Factories (Amendment) Act, 1922 (II of 1922):—

"The Inspector may, at any time, in order to satisfy himself that the water supplied is fit for drinking, take samples for analysis and the cost of the analysis shall be borne by the owner of the factory."

(*d*) A statement is laid on the Library table.

Inspector of Septic Tanks.

91. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) the functions of the Inspector of Septic Tanks,

(*ii*) his qualifications,

(*iii*) the date of his first appointment,

(*iv*) the pay on which he was appointed, and

(*v*) his present pay?

(*b*) Is it a fact that the Inspector of Septic Tanks has not the requisite qualifications for examining water and septic tank effluents

and that this work of examination is done by Assistant or Divisional Directors of Public Health instead of by him?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) (*i*) The functions of the Inspector of Septic Tanks are—(*a*) to visit septic tank installations in the mills and factories in and around Calcutta; (*b*) to report as to their efficient working; and (*c*) to take samples of the effluents for chemical examination.

(*ii*) The qualifications of the present incumbent are—(*a*) possession of a first class certificate in mechanical engineering granted by the British Board of Trade; (*b*) many years' practical experience in the construction and working of septic tanks; and (*c*) special experience in connection with the conditions in jute mills where septic tanks are largely used.

Mr. Dallas possesses exceptional knowledge and experience of septic tanks and during the many years he has been engaged in the inspection of installations of this kind he has devised many excellent improvements in their design.

(*iii*) The 2nd April, 1909.

(*iv*) Rs. 200—20—300 a month.

(*v*) Rs. 675 a month in the grade of Rs. 600—25—900.

(*b*) It is a fact that the Inspector of Septic Tanks does not possess the chemical qualifications of an analyst which would fit him for examining either water or septic tank effluents. It was never contemplated that he should do this sort of work. Such work can only be carried out in a properly equipped laboratory by specially trained competent analysts accustomed to laboratory technique, whereas the work of the Inspector is always out of doors and involves constant travelling by road and rail. It would be impossible for an outdoor Inspector to do laboratory work without neglecting his own special duties and the number of septic tanks is now so large that Mr. Dallas' time is fully occupied in his legitimate duties. The examination of effluent samples collected by Mr. Dallas is done by a staff of trained chemists and bacteriological assistants under the immediate supervision of the Director of the Public Health Laboratory who is also Public Analyst for Bengal. Assistant or Divisional Directors of Public Health do not do this work. They are fully engaged otherwise.

Inquiry into the question of septic tanks.

92. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) the name, rank, special qualification, and salary of the Public Health Department officer who was deputed to inquire into the question of septic tanks;

(*ii*) the length of the period he was so engaged; and

(*iii*) the total expenditure incurred for the inquiry?

(*b*) Is it a fact that though the voted amount for the inquiry was Rs. 20,000, Rs. 30,000 has been spent for the purpose?

(*c*) Will the Hon'ble the Minister be pleased to state whether it has been decided not to publish the report of the inquiry?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble the Minister be pleased to state the reasons for non-publication of the report?

(*e*) Will the Hon'ble the Minister be pleased to state whether the gentleman who was appointed or deputed to inquire into septic tanks, had any special training in chemical, bacteriological and analytical work and possessed any diploma for such training and knowledge?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) (*i*) Dr. G. L. Batra, M.B., CH.B., D.P.H., Assistant Director of Public Health. His salary was at the rate of Rs. 500 a month for the first year and at the rate of Rs. 600 for the remaining period of the inquiry.

(*ii*) 1½ years.

(*iii*) The information cannot now be obtained without considerable labour, which would not in the opinion of Government be justified.

(*b*) In the budget for 1919-20 there was a provision of Rs. 25,000 and again in the next year Rs. 12,500 on this account or a total of Rs. 37,500.

(*c*) No. While preparing the report the Director of Public Health ascertained certain facts which made it necessary for him to examine the mortality figures for cholera, dysentery and diarrhœa and the total deaths for each town and thana area on the Bhagirathi both above and below as well as at the situation of the chief sources of pollution, for a period of 30 years. This has necessitated an immense amount of extra work not anticipated at the time the examination of the river and the analysis of the river water and effluents was undertaken. As soon as this data is available the Director of Public Health hopes to complete the report.

(*d*) This does not arise.

(*e*) Dr. Batra possesses a Diploma on Public Health, which necessitates special training in chemistry and bacteriology and which qualifies him, among other things, to hold the post of a Public Analyst in Great Britain.

Subways under Howrah-Burdwan Chord line.

83. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state the result of the inquiry made up to date into the question of proper subways under the railway embankments in Bengal?

(*b*) Is the Hon'ble the Minister aware that the want of proper subways under the Howrah-Burdwan Chord line of the East Indian Railway and consequent water-logging since the opening of the line have caused suffering to the people of many villages between miles 32 and 37 of the line?

(*c*) Are the Government considering the desirability of instituting an inquiry into the matter?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) In reply to Rai Bahadur Nibaran Chandra Das Gupta's question No. 5, dated 20th January, 1922, Government stated that it was proposed to institute an inquiry as to the obstruction to the free flow of water caused by railway embankments. Subsequently in consultation with the Irrigation Department it was decided that an inquiry to ascertain the capacity of existing waterways through such embankments was unnecessary, since Government already possess data of this kind. The proposal for a survey of the whole question by the Chief Engineer, Public Health Department, was, therefore, given up and the Director of Public Health is now investigating on more general lines the effect of embankments on the public health.

So far as the investigations of the Public Health Department show, it does not appear to be a lack of culverts and waterways under railway embankments which causes water-logging so much as the interference with the natural flow of water which some embankments appear to cause. Government accept the view of the Director of Public Health that the influence of an embankment on the level of the sub-soil water requires further investigations and have reason to believe that it is not in the provision of additional culverts and bridges that the remedy for water-logging is to be found. The Director of Public Health expects to submit a further report on the subject shortly. In the meantime Government (Irrigation Department) are appointing a committee to inquire into the causes of the recent floods and their report is expected to throw light on the railway embankment question in other parts of the province.

(*b*) and (*c*) Government are advised that investigations so far made by the Director of Public Health do not indicate water-logging so far as Howrah-Burdwan Chord line is concerned. An inquiry, however, has already been arranged for and is now in progress.

Gratuitous medical help and medicines to Government servants.

94. Dr. JATINDRA NATH MOITRA: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) whether it is a fact that the officers of the Indian Medical Service, in civil employ, and the officers of the Provincial and

Subordinate Medical Services do not get any fees for attending the local officers of other departments as well as the members of their families except in exceptional cases;

(*ii*) the rules and regulations in full by which such cases are governed; and

(*iii*) whether the deputy magistrates, the munsifs and all other civil officers drawing a salary of Rs. 250 a month or over get hospital medicine without charge?

(*b*) Are the Government considering the desirability of issuing a fresh circular expressly defining the position of the medical officers in the matter of the use of hospital medicines and free treatment?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) (*i*) and (*ii*) Government servants have a long-standing right to free medical attendance by Government Medical Officers. A Government of India notification dated 25th August, 1854, while reaffirming the right of public servants, covenanted and uncovenanted, to this privilege, stated that Civil Surgeons in the service of the East India Company were entitled to remuneration for attendance on the families of such officers. In notification No. 2095, dated the 29th September, 1857, it was stated that the fees to be charged for attendance on the families of Government officers should be left to private adjustment.

In the Government of India's circular No. 3986-96, dated the 31st August, 1869, it was directed that Civil Surgeons should attend personally all uncovenanted gazetted officers at a district headquarters, while the non-gazetted upper subordinate grades of Government servants, including clerks, were to be entitled to gratuitous attendance by Apothecaries, Sub-Assistant Surgeons or Hospital Surgeons. Government servants of inferior grade were to receive attention at dispensaries or hospitals. These orders were not intended to apply to Presidency towns. A Government of India resolution dated the 16th August, 1884, while generally maintaining the orders of 1869, substituted a salary of Rs. 250 and over for the status of a gazetted officer as the criterion of an officer's right to the gratuitous services of the Civil Surgeon. A subsequent resolution dated the 25th October, 1884, consolidated the previous orders and authorized the additional concession of the free supply of medicines to the clerks of all Government offices. On the 27th February, 1885, the Government of India pointed out that the resolution of October, 1884, did not apply to Calcutta. The officers of the classes covered by that resolution, viz., Government clerks, are therefore not entitled in Calcutta either to free medical attendance or free medicine.

Briefly the position is as follows:—

(*1*) All covenanted officers are under their covenants, whether in Calcutta or the mufassal, entitled to free medical attendance, when sick.

(2) All other Government officers (gazetted, non-gazetted and ministerial), under the orders cited above, are entitled to free medical attendance, with this further distinction, viz., officers with salaries of Rs. 250 per mensem or more—whether gazetted or not—are entitled to medical attendance by the Civil Surgeon, while officers on smaller salaries are entitled to free medical attendance by Assistant and Sub-Assistant Surgeons.

In Calcutta, however, it is only gazetted officers who are entitled to free medical attendance by medical officers of Civil Surgeon's rank (termed Presidency Surgeons). Non-gazetted officers are not entitled to free medical attendance at all in Calcutta.

(3) The families of Chaplains and Assistant Chaplains are entitled to free attendance, as though these officers were employed on military duties. The families of other civil officers have not this privilege.

(*iii*) Yes.

(*b*) The existing orders are well known and Government do not propose to issue such a circular.

Dr. JATINDRA NATH MOITRA: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to say what is meant by the phrase "private adjustment" which occurs in his reply to my question No. 94?

The Hon'ble Sir SURENDRA NATH BANERJEA: I think the phrase is very clear. "Private adjustment" means private adjustment, *i.e.*, an adjustment between the parties concerned. I do not think it is necessary to explain a statement which is so palpable and clear.

Grants-in-aid to Edward College, Pabna.

95. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the amount of grant-in-aid (*1*) non-recurring, and (*2*) recurring to Edward College, Pabna; and

(*ii*) the condition on which such grants are made?

(*b*) Will the Hon'ble the Minister be pleased to state whether there is any proposal to raise the said college to the B.A. and B.Sc. standards?

(*c*) Will the Hon'ble the Minister be pleased to state whether the Government contemplate making any grant to Edward College, Pabna, if the said institution be raised to the B.A. or B.Sc. standard?

(*d*) Will the Hon'ble the Minister be also pleased to lay on the table a statement showing—

(*i*) the number of students on the roll of this institution each year during the last three years; and

(*ii*) the names and qualifications of the members of the Governing Body of the College and the period for which each of them is serving on the said body?

The Hon'ble Mr. P. C. MITTER: (*a*) (*i*) A statement is laid on the table.

(*ii*) A copy of the grant-in-aid rules to colleges is laid on the Library table.

(*b*) The Education Department has received no proposal to this effect.

(*c*) The question has not arisen.

(*d*) (*i*) A statement is laid on the table.

(*ii*) A statement is laid on the table.

Statement referred to in the reply to clause (a) (i) of unstarred question No. 95, showing the amount of grants to Edward College, Pabna.

Year.	Recurring grant.	Non-recurring.		Remarks.
		Provincial Revenues.	Out of Rs. 1,29,000.	
	Rs.	Rs.	Rs.	
1914-15	6,000	50,000	3,000	For chemical apparatus.
1915-16	6,000	...	...	
1916-17	6,000	...	...	
1917-18	6,000	...	...	
1918-19	6,000	...	...	
1919-20	6,000	...	4,000	For library and laboratory.
1920-21	6,000	...	5,000	For laboratory equipment.
1921-22	8,250*	...	8,000	For laboratory.
Total ...	50,250	50,000	20,000	
		70,000		

* An additional grant of Rs. 250 per mensem was sanctioned from 1st June, 1921.

Statement referred to in the reply to clause (d) (i) of unstarred question No. 95, showing the number of students on the roll of Edward College, Pabna, during each of the last three years.

On 31st March, 1922—299.
On 31st March, 1921—320.
On 31st March, 1920—291.

Statement referred to in the reply to clause (d) (ii) of unstarred question No. 95, showing the constitution of the Governing Body of Edward College, Pabna, on 31st March, 1922.

(1) Rai R. M. Das Bahadur, M.A., District Magistrate, President, *ex-officio*. Appointed—26th July, 1921.

(2) Babu Radhica Nath Bose, M.A., Principal, Secretary, *ex-officio*. Appointed—January, 1920.

(3) Babu Benoy Kumar Roy, B.L., Chairman, Pabna Municipality, *ex-officio*. Appointed—January, 1920.

(4) Rai Sahib Dr. Satish Chandra Basu, Civil Surgeon. Appointed by Government—January, 1920.

(5) Rai Sahib Nritya Gopal Chaki, Pleader. Appointed by Government—January, 1920.

(6) Babu Ranajit Chandra Lahari, M.A., B.L., Pleader. Appointed by Government—January, 1920.

(7) Rai Dina Nath Biswas Bahadur, B.L. Elected by donors and subscribers—January, 1920.

(8) Babu Radhica Bhusan Ray, Zamindar. Nominated by Rai Kshitis Bhusan Ray Bahadur, eldest son of the late Rai Banamali Ray Bahadur—January, 1920.

(9) Khan Bahadur Maulvi Wasimuddin Ahmed, B.L., Pleader. Elected by the retiring Governing Body—January, 1920.

(10) Babu Jogendra Nath Mitra, Zamindar. Elected by the retiring Governing Body—January, 1920.

(11) Babu Banwari Lal Bose, M.A., Professor. Elected by the staff—January, 1920.

(12) Babu Makhan Lal Chakrabartti, M.SC., Professor. Elected by the staff—4th July, 1921.

Sale of the Jail Manual to the general public.

96. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to

state whether he is aware that the Jail Manual is not available for sale to the general public?

(*b*) Will the Hon'ble the Member be pleased to state the reasons for this?

(*c*) Are the Government considering the desirability of making the Jail Manual available to the general public at a reasonable price?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) and (*c*) No. The Manual in the form of the Jail Code is available for sale at the Secretariat Book Depôt.

(*b*) The question does not arise.

Firearms in the Pabna district.

97. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state in a tabular form the total number of firearms in the Pabna district under the different descriptions as—

(*i*) rifles,
(*ii*) revolvers, and
(*iii*) shot guns,

possessed by different classes of people of the district such as persons exempted and unexempted under the former Arms Act for the years from 1915 to 1921?

(*b*) Will the Hon'ble the Member be pleased to state—

(*i*) the total number of licenses for different kinds of firearms taken out under the present Arms Act; and

(*ii*) the total number of firearms possessed by persons exempted from the provisions of the present Arms Act?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) The following statement gives the total number of licensed firearms for the years 1915 to 1921:—

1915—Rifles 2; revolvers 15; shot guns 730.
1916—Rifles 2; revolvers 13; shot guns 736.
1917—Rifles 2; revolvers 10; shot guns 725.
1918—Rifles 2; revolvers 11; shot guns 751.
1919—Rifles 2; revolvers 9; shot guns 719.
1920—Rifles 19; revolvers 14; shot guns 751.
1921—Rifles 18; revolvers 14; shot guns 753.

Statistics relating to various classes of the population and for all exempted persons are not on record.

(*b*) (*i*) The number of licenses issued under the Arms Act in 1921 was 787.

(*ii*) Figures for all exempted persons are not available.

Honoraria to officials during His Royal Highness the Prince of Wales' visit to Calcutta.

98. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether any honoraria were given to officials entrusted with the arrangements in connection with the visit of His Royal Highness the Prince of Wales to Calcutta?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to lay on the table a statement showing—

(*i*) the names of the persons with the amount of honorarium paid to each; and

(*ii*) the total amount paid as honoraria?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Yes.

(*b*) (*i*) Mr. D. Gladding, I.C.S., Rs. 500.

Mr. Percy Brown, Principal, Government School of Art, Calcutta, Rs. 1,500.

(*ii*) Rs. 2,000.

Silting up of canals and waterways in Pabna district.

99. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Department of Irrigation aware that the canals and the other waterways in the district of Pabna are being silted up and that this is causing inconvenience to the expansion of trade and commerce?

(*b*) If so, will the Hon'ble the Member be pleased to state what steps, if any, are being taken in the matter?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Government understand that some of the waterways in Pabna district are silting up, but has no detailed information.

(*b*) Government do not contemplate taking any steps in the matter at present.

Reduction of the area of Sujanagar police-station.

100. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact—

(*i*) that the police-station of Sujanagar in the Sadar subdivision of the Pabna district is comparatively speaking large and that experience has shown it to be difficult to manage it effectively owing to its size; and

(*ii*) that the Khalilpur-Pragpur dacoity case in the year 1915-16 and the Khalilpur shooting incident in August last took place within this police-station?

(*b*) Are the Government considering the desirability of opening at an early date a police-station or outpost at Nazirganj, a place of trade and of some importance near Khalilpur and other notorious villages?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*) and (*ii*) Yes.

(*b*) The question of reducing the area of Sujanagar police-station by opening a new police-station has been under the consideration of the Inspector-General of Police for some time, but for financial reasons no proposal has been submitted.

Additional officers of the Finance Department.

101. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) whether it is a fact that the services of four additional hands have recently been placed under the disposal of the Finance Department in addition to the Secretary, Deputy Secretary, and Under-Secretary employed in that department;

(*ii*) whether it is a fact that two of these officers are members of the Indian Civil Service, one of the Indian Educational Service and the fourth of the Indian Police Service; and

(*iii*) what are the special duties for which these additional officers have been placed under the Finance Department?

(*b*) Will these additional officers receive any deputation allowance while in the Finance Department?

(*c*) If so, what is the amount that will be paid as such allowance to each of them during their period of deputation in that department?

The Hon'ble Mr. J. DONALD: (*a*) (*i*) and (*ii*) Yes.

(*iii*) One of the Indian Civil Service officers has been appointed in connection with the Bengal Retrenchment Committee and the other in connection with the framing of Financial Rules. The Indian Educational

Service officer has been appointed to the post of Labour Intelligence Officer whose duty is to deal with all labour matters. The fourth officer who is a member of the Indian Police Service has been placed on special duty in connection with the working of the Bengal Amusements Tax Act, 1922.

(*b*) and (*c*) Deputation allowance has been abolished by the Fundamental Rules. These officers are drawing the pay sanctioned for these temporary posts.

Payment of pensions through post offices.

102. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) what has been the result of introducing arrangements for the payment of pensions through the post offices as an experimental measure; and

(*ii*) whether the system has been further extended since its introduction as an experimental measure?

The Hon'ble Mr. J. DONALD: (*i*) Pensioners generally have evinced no keen desire to take advantage of the system; but where adopted it has worked with advantage, in particular to the very old and the infirm.

(*ii*) The experiment has been extended for a further period of two years.

Appointment of probationers in the Judicial Department.

103. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state what effect, if any, has been given to the scheme for appointing probationers in the Judicial Department?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) The matter is under consideration and has been held in abeyance pending the receipt of the Retrenchment Committee's Report.

Investment of powers of union courts to the union boards of the Tippera Sadar subdivision.

104. SHAH SYED EMDADUL HAQ: (*a*) With reference to the answer given to my unstarred question No. 106 (*c*) on the 23rd August, 1922, will the Hon'ble the Member in charge of the Judicial Department be pleased to state the reasons why it was not considered advisable to invest the union boards of the Sadar subdivision of the Tippera district with the powers of union courts?

(*b*) Will the Hon'ble the Member be pleased to state the reasons for which the powers of union courts were conferred on the union boards of the Brahmanbaria subdivision?

(*c*) Will the Hon'ble the Member be pleased to lay on the table a copy of the notification issued by the Commissioner of the Chittagong division regarding the investment of the union boards with union court powers?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) The local officers considered it premature to establish union courts in the union board areas of the Sadar subdivision and the Chandpur subdivision until some further experience of the working of union benches throughout the district and of union courts in Brahmanbaria subdivision was gained.

(*b*) A beginning had to be made somewhere and as union benches were first established in Brahmanbaria subdivision, union courts were also first established there.

(*c*) No notification was issued by the Commissioner. Copies of Government notifications No. 1514J., dated the 2nd May, 1921, and No. 2549J., dated the 29th June, 1921, are laid on the table.

Notifications referred to in the reply to clause (c) of unstarred question No. 104.

No. 1514J.—The 2nd May, 1921.—In exercise of the power conferred by section 73 of the Bengal Village Self-Government Act, 1919 (Bengal Act V of 1919), the Governor in Council is pleased to appoint the following members of the Union Boards mentioned below, during their term of office as such members, to be Union Courts, within the jurisdiction of the Union Boards of which they are, respectively, members, for the purposes of that section:—

Names of the members of Union Boards to constitute Union Courts in the Brahmanbaria subdivision of the Tippera district.

Nasirnagar Union Board.—Babu Suresh Chandra Bhadra; Babu Jatindra Mohan Roy; and Munshi Miajaddin Chaudhury.

Sarail Union Board.—Dr. Mahendra Chandra Nandy; Babu Sivdas Nandy; and Babu Jyotirindra Kishore Chakraborty.

Kasba Union Board.—Babu Suresh Chandra Chakraborty; Babu Prasanna Kumar Gupta; and Maulvi Akram Ali Khan.

Nabinagar Union Board.—Babu Radha Charan Roy; Babu Bhuban Mohan Bhattacharjee; and Maulvi Abdus Sobhan.

Rasulabad Union Board.—Babu Bhuban Mohan Roy; Babu Ananda Kishore Naha; and Munshi Abdul Kader.

ERRATA.

No. 2549J.—The 29th June, 1921.—In the list of names of union boards appended respectively to notifications Nos. 1514J. and 1515J.,

dated the 2nd May, 1921, published in pages 712-13, Part I of the *Calcutta Gazette* of the 4th idem,

For "Sarail" *read* "Kalikacha" and *for* "Rasulabad" *read* "Shyamagram."

N. B. GUPTA,

Secretary to the Government of Bengal (Offg.).

Consumption of liquor and revenue derived therefrom in the districts of Pabna and Tippera.

105. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing for the districts of Pabna and Tippera—

(*i*) the quantity of liquor, both foreign and country, that was consumed for purposes other than medical, each year during the last three years;

(*ii*) what amount of revenue was derived each year during the last three years by the Government from customs and excise duties on liquor; and

(*iii*) what steps, if any, have been, or are being, taken to put a stop to the consumption of the said liquors for purposes other than medical?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) and (*ii*) The labour involved in obtaining the information is incommensurate with its value.

(*iii*) The Government have not thought fit to prohibit the consumption of excisable liquors, but by the introduction of the Bengal Fixed-fee System, increasing the prices, curtailing the hours of sale and other measures, the consumption is being controlled as far as possible.

Cost of settlement buildings in Pabna-Bogra districts.

106. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state separately the actual sum spent for erecting—

(*i*) the Settlement office buildings,

(*ii*) the press shed,

(*iii*) the Settlement Officer's quarters, and

(*iv*) the peons' quarters,

at Sirajganj?

(*b*) Is the Hon'ble the Member in a position to say how these buildings at Sirajganj will be disposed of at the close of the settlement operations of the Pabna-Bogra districts?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Particulars about the actual cost are not available. The revised estimates of cost of the buildings, however, amount to—

(*i*) Rs. 32,241; (*ii*) Rs. 21,300; (*iii*) Rs. 42,168 (including Rs. 5,168 for land); (*iv*) Nil.

(*b*) It is at present proposed that the Settlement office buildings, press shed and Settlement Officer's quarters will, after the close of the operations, be used as the office of the Subdivisional Officer, constables' quarters and Subdivisional Officer's residence, respectively. The present residence of the Subdivisional Officer will then be converted into a circuit house and his existing office will be used for storing settlement records.

Appliances for saline injection in cholera cases.

107. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether all the charitable dispensaries in the district of Pabna and other mufassal dispensaries in Bengal have the necessary appliances for administering saline injections in cholera cases?

(*b*) If not, what system of treatment is followed in cholera cases in the dispensaries wanting those appliances?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) All local fund and Sadar hospitals in Pabna and most dispensaries in other districts have these appliances.

(*b*) A reference is invited to a reply given on the 4th July, 1921, to a precisely similar question asked by Babu Brojendra Kishor Ray Chaudhuri.

Increase in drunkenness.

108. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state whether he is aware that there has been a steady increase in drunkenness in the district of Pabna and in other districts of Bengal during the last five years?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The answer is in the negative.

Government Bill.

The Calcutta Municipal Bill, 1921.

The Hon'ble Sir SURENDRA NATH BANERJEA: I beg to present the Report of the Select Committee on the Calcutta Municipal Bill, 1921. In doing so, I feel it my duty, on behalf of the Select Committee, over which I had the honour to preside, to associate myself with the remarks which fell from the chair regarding the late Rai Radha Charan Pal Bahadur. Sir, he was our colleague in the Select Committee and a most valuable colleague. We had 49 meetings of the Select Committee and the Rai Bahadur attended 41 of these meetings; and only a few hours before his death we had the opportunity of his assistance in the committee room, discussing intricate questions affecting the administrative sections of the Municipal Bill. His ripe experience, his thorough and masterly grasp of municipal issues rendered his services of the greatest benefit to us. To me, Sir, it is a matter of melancholy satisfaction to be permitted to pay this tribute to his honoured memory.

I have no desire to enter into the details of the Bill which has been laid on the table, but there are two points to which I would like to call attention. The Select Committee have removed the sex disqualification and have conferred the franchise on women, thus placing the municipal enactment of Calcutta, if indeed it is accepted by this Council (A voice: "It will be") on the same footing with the municipal law of the United Provinces and of Bombay. Further, the Select Committee have recommended an extension of the boundaries of municipal Calcutta; they have recommended the inclusion, within the limits of Calcutta, of the Manicktolla municipality, of portions of the Tollygunge municipality, and also of the new dock area, subject to certain statutory obligations set forth in the Bill.

It was in the year 1888 that the first step was taken to extend the boundaries of Calcutta and now after 35 years we propose that the boundaries of Calcutta should undergo a further extension, coupled with a democratic constitution which, I venture to think, is more advanced than any which had ever been recommended for the government of this great city. I do not desire to detain the Council for any length of time. It is unnecessary at this stage to enter into the details of the Bill which will be considered when the provisions of the Bill come up for discussion in connection with the various amendments that are likely to be moved.

With these few words, I beg to present the report of the Select Committee.

Resolution

(on matters of general public interest).

The British Empire Exhibition, 1924.

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I move that this Council recommends to the Government that the province of Bengal should participate in the British Empire Exhibition of 1924, and that, with a view to this participation, steps be taken to organize a preliminary exhibition in Calcutta in the cold weather of 1923.

It is with some diffidence that I rise to move the resolution that the Council recommends to the Government that Bengal should participate in the British Empire Exhibition, and that with a view to this participation an Exhibition should be arranged in Calcutta during the cold weather. I say it is with some diffidence that I rise because the resolution is one which will undoubtedly involve this Government in expenditure, and the financial position is too well known for me to describe it again to the Council. Yet this is the very reason why we have now brought forward this resolution for the formal approval of the Council, and I trust that, in the course of the debate, it will appear that even in spite of the financial position, it is desirable, nay, it is essential, that Bengal should participate in the British Empire Exhibition. It is true that the Council has already—though not exactly after a formal discussion such as I have now initiated—agreed to participate in the British Empire Exhibition, for in the budget of the current year a provision of Rs. 25,000 was made on that account. I may here point out that the amendment of which notice has been given seems to be somewhat unusual in view of the allocation of funds by the Council already for this purpose, but I welcome the amendmet as leading to a discussion which may result in the explanation of the whole situation and the removal of misunderstanding.

Kumar SHIB SHEKHARESWAR RAY: I rise to a point of order. The amendment is not before the House, so can it be discussed now?

Mr. PRESIDENT: You will be able to discuss the amendment later on, Nawab Sahib.

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: I am not discussing the amendment.

It is nearly 40 years since there was such an Exhibition as this and the present proposal was first made in 1913. The war made progress with the proposal impossible, and after the war it was decided to hold

the Exhibition in 1921, but in deference to the opinion of India and the Dominions the date was postponed to 1923, and in further deference to India's representations it was again postponed to 1924. The British Parliament and the public have subscribed to a guarantee fund for this Exhibition amounting to nearly a million and a quarter pounds sterling. The object of this guarantee fund is to prevent all possibility of loss to the participants in the Exhibition, but it is confidently hoped that, so far from resulting in a loss, the Exhibition will produce a profit and this profit will be divided amongst the participants in proportion to the space which their exhibits occupy. This Exhibition is not merely a great industrial fair at which the achievements and the possibilities of the British Empire will be on show. It is also an Exhibition of arts and sciences, and, in particular there is a medical side which specially deals with tropical diseases. As an educative influence this Exhibition will be unique for the citizens of the Empire.

It is calculated that in the six months during which the Exhibition remains open, 40 million people will visit it, or about a quarter of a million of people daily. Practically every adult in England who has a vote will at one time or other see this Exhibition, and for us in India, who hope to see the Reforms developed as rapidly as possible, no opportunity of educating those who elect the British Parliament in England should be overlooked.

In February of last year in the Legislative Assembly Government introduced a resolution similar to that which I am introducing to-day. The debate on that resolution was adjourned until March, and then with the full knowledge of the deficit in the budget the Legislative Assembly unanimously, as I read the report of the proceedings, agreed to participate in the Exhibition at a cost estimated at £167,000, or about Rs. 25,00,000. The province of Burma separately decided to take a separate section in the Exhibition. I may inform the Council that it was the eloquence of the representatives of Bengal in the debate in the Legislative Assembly that contributed most to the unanimous decision which the Legislative Assembly took. The Hon'ble Sir Deba Prosad Sarbadhikari, the Hon'ble Mr. Abul Kasem, and the Hon'ble Mr. Bradley Birt—three typical representatives of this province—spoke wholeheartedly in favour of the resolution, and the Hon'ble Mr. Rangachariar of Madras, who had been the sole opponent of the resolution, on hearing these representatives of Bengal, proclaimed his conversion and voted for the resolution. It seems to me, therefore, that Bengal is morally bound by the action of its representatives to participate.

The proposal is that India should have one great building which will cost £113,000 to build, and within this the different provinces should have different sections. In pursuance of the resolution of the Legislative Assembly a Commissioner was appointed—Dewan Bahadur Vijayraghavachariar—to proceed to England and make arrangements

at that end, and after three months there he has returned to India to organize preliminaries here. He has brought back the news that the finest site in whole of the Exhibition has been reserved for India. He has visited all the provinces since his return and has been twice to Bengal.

Five other provinces excluding Burma have decided to participate in this Exhibition. Madras has agreed to an expenditure of three lakhs, the Punjab of five lakhs, the United Provinces of nearly four lakhs, Bombay of two lakhs, and Bihar and Orissa of nearly a lakh and a half. The Commissioner advises us that if Bengal has to participate it will require 12,500 square feet of space involving an expenditure of three lakhs of rupees. In view of the tacit approval of the Council to participate in the Exhibition when they voted Rs. 25,000 as preliminary expenditure last year, we might perhaps have committed ourselves on behalf of Bengal, but when such a large expenditure was in question it appeared to me very desirable to consult the Council formally and take its formal approval.

Although I have said that the expenditure will approximate to three lakhs, I must qualify the statement. The expenditure will be spread probably over three years, and during those three years there will be—there will certainly be—recoveries. The Commissioner who estimates our expenditure at three lakhs estimates our recoveries at a minimum figure of a lakh and a half, and he suggests that they will be considerably more. The system is that a part of the space taken by the Government of India will be sublet to the provinces, and the provinces will pay rent at 15 shillings per square foot for the area occupied. The provinces in their turn will be able to sublet a part of their space to private exhibitors, and the rate of rent laid down for private exhibitors is 22 shillings and sixpence per square foot. It is obvious that a great commercial province like Bengal will derive much more income from subletting its space to private exhibitors than some of the less fortunate provinces which have already agreed to participate. At the same time Government must retain a certain amount of space for Government exhibits of the numerous arts and crafts of this province which, on their own, would be unable to participate in the Exhibition. Government will purchase their exhibits when they are approved of, and, in its turn, exhibit them in London with all possible information about them. Eventually these exhibits will be sold and our recoveries will be increased by the price obtained for them. A further source of recovery appears in the probable profit of the British Empire Exhibition. This profit will be divided amongst the participants, and the Government of India has agreed to divide its share of the profits amongst the provinces which participate. Further, it is proposed, as a preliminary to the Exhibition, to hold an exhibition in Calcutta next cold weather, and I am advised that such an exhibition will partially

recover its own expenses, if indeed it does not make a profit. If it makes a profit, this too will go to reducing the burden which I am asking the Council to take upon itself now.

Thus I have shown that our actual expenditure will be very greatly reduced by the recoveries and I am of opinion that the net expenditure in which we may be ultimately involved will be money well spent in advertising our products and in increasing the export trade of this country. Further, we shall have much to learn about processes and methods from this Exhibition. I have little doubt that the result of this Exhibition will be a considerable increase in the trade of Bengal, and especially in the export trade, and in this belief I confidently recommend the expenditure to the Council.

I have already said that considering the obligations which the Government of India has taken upon itself, largely on the advice of the Bengal representatives in the Legislative Assembly, we, in Bengal, are morally bound to take our share as anticipated by the Government of India. Finally, it appears to me that from the political point of view it is essential that Bengal with its great capital second only to London in the Empire for its commerce, trade, and industries should be represented at the Exhibition. I, therefore, propose this resolution and I trust that the amendment of which notice has been given will be withdrawn and the Council will follow the lead given not only by the great Dominions of Canada, Australia, New Zealand, and Newfoundland and all the other parts of the Empire, but by the Government of India and the other six provinces of India which have agreed to participate.

Babu INDU BHUSHAN DUTTA: I move by way of amendment, that the following proviso be added at the end, namely:—

"provided that the British Empire Exhibition authorities pay all costs in connection with the exhibits sent from Bengal."

My first impulse on getting notice of this resolution was to follow the example of the Ceylon Legislative Council and oppose the motion outright, at any rate the first half of it, but, Sir, a long two years' experience in this Council has made me a sadder and a wiser man, and I know how difficult it is to carry a measure against any Government member; I have, therefore, decided to follow the line of least resistance and to make sure that the Council may not be asked to pay any amount for participating in an Exhibition which will hardly be of any benefit to the province of Bengal. We have been told by the Hon'ble the Minister that we are morally bound to support this resolution. I do not understand how. Is it because three members hailing from Bengal on their own personal responsibility, supported a similar motion at the Imperial Legislative Assembly? That does not and cannot bind this Council. We have seen many measures passed in the Imperial

Legislative Assembly without the connivance of this Council; does that bind this Council? Did those three members take the opinion of the Bengal Council before voting for that resolution? This argument is absurd, on the face of it. Another argument has been put forward, that by voting Rs. 25,000 in the current year's budget, this Council has become morally bound to support the Exhibition. Well, Sir, I cannot understand this argument at all. If I remember aright, in my absence, and on my behalf, my friend Mr. Surendra Nath Mallik opposed the grant of that Rs. 25,000 on the ground that the Exhibition had been postponed for another year, and that, therefore, the money was not needed this year. Of course, this Council did not know then, as it does to-day, that it was going to cost, not Rs. 25,000 but nearly three lakhs of rupees; the merits of the case were not discussed at all and Mr. Mallik withdrew his opposition; therefore, the Council is not bound to support it. As the Imperial Government has taken the responsibility of participating in this Exhibition, I think, it being an Imperial matter, the provincial Government should not be asked to pay anything towards the cost. In these days of provincial retrenchment, when the fate of many an officer is hanging in the balance, there is hardly any reason why we, the poor tax-payers of Bengal, should be asked to pay this exorbitant sum, though it may help one or two higher officers to go to England at Government cost.

To come now to the merits of the case itself, the Hon'ble the Minister has shown us how vehemently he can plead for the development of the industries of Bengal. I fully appreciate his inordinate love for our industries, but I do hope he will pardon me if I remind him that the history of the past industrial relationship between India and Great Britain and the present economic position of the two countries do not inspire us with much confidence in the utility of this Exhibition. What is this present economic position? In one short but significant sentence, it is this—whereas in India 90 per cent. of the people are rural and 72 per cent. depend on agriculture; in England and Wales 90 per cent. of the people are urban and have to depend on industrial pursuits. These 90 per cent. of the British people cannot look with equanimity on any possible reduction of their field of industrial activities. Business is business, and England cannot afford to lose any markets for her finished goods. No amount of sentiment, no amount of appeal in the name of any glorious empire will induce anybody to adopt a suicidal policy.

Mr. PRESIDENT: I think the member is travelling a little wide of the subject-matter; he should confine himself to the question before the House. At the present moment he is trying to convince the House of the undesirability of participating in this Exhibition.

Babu INDU BHUSHAN DUTTA: My line of argument is that we should not pay anything, because it is undesirable and unprofitable for

us to participate in this Exhibition. The question of unemployment is as serious in England as in India, for with their own kith and kin starving for want of employment, the English people would be fools to give us an opportunity of developing our industries, if they could utilize their own capital and scientific training, to utilize our raw materials for the development of English industries. In the January number of the *Nineteenth Century* Lord Ronaldshay has written a very able and outspoken article called "Why we should concentrate on the Empire." A perusal of that article does not leave any doubt as to what the former Governor of Bengal means by concentrating on the Empire. It is nothing but a special pleading for utilizing British capital, British brains, and British enterprise for the exploitation of the raw materials of India. This ideal may be necessary for England but it will not be for the benefit of the development of *our* industries. Is it to our advantage to bear the cost of exporting our raw materials and then bringing them back again in the shape of finished products? Should we not rather try to utilize them with Indian capital and Indian enterprise? Therefore, I think I have been able to convince the House that the exhibition of our raw materials in England will not benefit this country at all.

To come now to the commercial finished products of Bengal; these are oil, paper, skins, silk, sugar, and pottery. In oil, paper, sugar, and pottery we cannot meet our own demands; we have yet to import a vast quantity of these. Under the circumstances, is it profitable to incur the expense of exhibiting them in London to find a market? Then, let us take silk. There is a lurking suspicion in the minds of some members of this Council that by sending our silk exhibits to this Exhibition, we might find a ready market in England for Bengal silk which would be beneficial for the development of the silk industry of Bengal. Even a cursory glance at the history of the Bengal silk industry will convince this Council that this is a hopeless dream.

The *Imperial Gazetteer of India* says that in olden times India used to export a large quantity of silk, but when sericulture became part of the agriculture of France and Italy, a quality of silk was produced, entirely different from that of India and Turkey, and its appearance created a new demand and organized new markets. All subsequent operations seem to have established the belief that the plains of India, or at all events of Bengal, are never likely to produce silk that could compete with this new industry. What has been the practical result? As mentioned in the *Gazetteer*: "The exports of manufactured silk has shown a serious decline. . . . in both raw silk and silk manufactures, India now receives far more than she gives." Then again: "Thus not only is she failing to produce silk goods suitable for the demand of other countries, but she is opening her own markets to a foreign competition that must tell disastrously on the local handloom

workers." If this is not conclusive evidence that we may derive no benefit in participating in this Exhibition, I do not know what is.

Then there remain works of art like ivory and shell, and *chikan* work. I seriously ask the Hon'ble the Minister, whether he really believes that we will find such ample market for these works of art and curios in the British Empire, as would justify an expenditure of 3 lakhs of rupees? If there is a market for these, why do not the private European merchants take up this business? If we send all these finished products of Bengal to England, what will be the result? We are already getting imitation *khaddar* from England, and the result will be that we may get back imitation Berhampore silk and other cheap imitations from England. When we have to go to Birmingham to get the small brass idols for our daily worship, is it conceivable that we can find a market for our finished goods in a country which is anxious for her own industrial development and where industry is the very existence of its life? What market can we expect for our raw materials or our commercial products in the other parts of the Empire that we should spend a large sum of money in these days to send them to England? The Hon'ble the Minister has been pleased to say that there is a medical side in this Exhibition which deals with tropical diseases. I know that the British Pharmacopœa is more wide awake than even our Ministers; we know that they have already taken many of our medicines and herbs and they do not require a British Empire Exhibition for their interest in tropical medicine. I do not understand how participation in the Exhibition will be of any benefit to the Tropical School of Medicine. After all, what are we going to exhibit? Nothing that will benefit us. The only thing that we can exhibit is the helpless poverty and utter destruction of our national industries. Is this to be our glorious exhibit in a high-sounding British Empire Exhibition?

I do not wish to rake up the painful history of the destruction of the cotton industry in Bengal, but I say that the last Exhibition of 1884 in Calcutta helped Manchester in copying the borders of *saris* and *dhotis* and this Exhibition will help the British merchants in sending goods that may destroy the nascent industries of this country. This Exhibition cannot be at all helpful to us, let us not participate in it. If it is to their benefit, let them pay. You cannot ask us to share in an Exhibition which means no good to us. Students of history will remember that in the days of the Roman Empire the great English Chief, Caradoc, with a sentence of death hanging over his head, had to participate in the triumphal procession at Rome. Let not our nascent industries share the same fate in this British Empire Exhibition.

Mr. PRESIDENT: Members are sending their names up to me who are desirous of speaking. I desire to remind the House that unless members rise in their seats, they will not be called upon to speak.

Mr. HUSEYN SHAHEED SUHRAWARDY: I rise to a point of order. Mere rising in one's place may not always be effective.

Mr. PRESIDENT: Of course not, but the member must persevere until he catches my eye.

Babu NIRODE BEHARY MULLICK: Suppose a member is not able to catch your eye; mere rising in his seat may not give him his chance of speaking. Recently, I have risen in my seat many times, but have not been able to catch your eye and have not been able to speak.

Mr. PRESIDENT: There are many others, perhaps, who are as unfortunate as you; you must persevere until you catch my eye.

Babu NIRODE BEHARY MULLICK: What I was going to submit is that—

Mr. PRESIDENT: The member has heard my ruling and I hope he will respect it.

Sir ASUTOSH CHAUDHURI: May I ask whether a person who has not sent up his name would ever catch your eye?

Mr. PRESIDENT: I think so; it would of course depend on the rapidity with which he rose.

Mr. R. H. L. LANGFORD JAMES: I regret that I am quite unable to agree with Babu Indu Bhusan Dutta in the amendment he has proposed to the Government resolution. The Hon'ble the Minister in charge has sketched for us the genesis of the proposal that India and Bengal should take part in this Exhibition. While I quite agree with Babu Indu Bhusan Dutta that because the Legislative Assembly passes a resolution on any particular subject that does not *ipso facto* bind us, still I think that we should certainly free ourselves of any idea that because a resolution is passed by the Assembly, it should *ipso facto* be turned down by us. I understand that the main reason of Babu Indu Bhushan Dutta's resolution is financial. He considers that this would be a waste of money. I regret I am wholly unable to agree with him there. I think myself that participation in this Exhibition would be a very fine advertisement for Indian wares, and, as such, we should look upon it as an investment. As a matter of fact, Sir, my opinion is that the cry of poverty can be overdone. If my firm were at all shaky I should most certainly not go round to all the people with whom I am in the habit of doing business and confide this fact to them. Quite obviously I should increase my advertisements, and I should advertise that "this firm is doing the greatest business on earth, we cannot keep people away," and all that sort of thing. I do not think we do any great good to Bengal by always crying "wolf." Not only do we all wish to see the actual prosperity of Bengal enhanced, but we also

desire to increase its apparent prosperity. Babu Indu Bhushan Dutta apparently thinks that if Bengal participates in this Exhibition she will only have a chance of appealing to British and Colonial markets. That of course is not so. Broadly speaking, everybody in the world will be at the Exhibition. It will be quite one of the biggest Exhibitions ever held. Now, Sir, is there any particular necessity—if we grant the premises that we are engaged on an advertising campaign in favour of Bengal goods—to cry "wolf?" Has Babu Indu Bhushan Dutta lost sight of Sir Rajendranath Mukherji and his gang of merry executioners, and what we may expect of them? I will give him a piece of information. The piece-goods market is looking up; and if it continues to look up, who knows, by the time we get to the monsoon races, that our financial magnates from Barabazar may not be indulging in the gentle sport of horse racing to a more intensive degree, to the ultimate good of the people of the province. Therefore, it is quite likely, I maintain, that by this time next year, the finances of the province will be very much better than they are to-day. There is one point that I would like to press very much and it is this: In this Exhibition Bengal's contribution to it will not so much affect large industries here. I have very little doubt that there will be a few gunny bags on view and a few yards of Hessians—and possibly my own firm will send a few chests of tea; but these are not the things which the people are going to see at the Exhibition. Industries which are going to be affected are the small industries—the village and cottage industries, and I would urge Babu Indu Bhushan Dutta to think very hard before he presses this Council to make Bengal conspicuous by denying this chance to those small industries. It is really an unique opportunity of advertisement before the world.

Babu NIRODE BEHARY MULLICK: At the outset I want to make it clear that I have sympathy with the object of the resolution, but the point that I wish to raise before this Council is this: What is our economic position? Does our economic position justify our participation in a matter of this kind which perhaps can be described as a luxury on the part of Bengal? Have we done what we ought to do towards the various castes and creeds which constitute the inhabitants of the province? It has fallen to my lot to represent from time to time the cause of the backward and depressed classes. This is not the time I know to go into details of this question. I only give an example. There are 10 millions of people who contribute no less than 6 or 7 crores every year, but do not get perhaps the benefit of one lakh of rupees in return. Under these circumstances, is it justified that such a resolution should be brought before the Council at all? It appears that it is out of place here and I should like to add that this resolution ought to have been moved not in this Council, but in the Associated Chamber of Commerce.

Mr. D. C. GHOSE: I am afraid I cannot accord my support to the resolution which has been moved by the Hon'ble the Minister for Industries and Agriculture. I have followed very closely the speech that he has made in proposing his resolution, and I confess that I remain unconvinced by his argument. Sir, except a purely sentimental satisfaction of seeing every part and portion of the British Empire represented in the British Empire Exhibition in 1924, no other purpose, so far as I can understand, will be served by the participation of Bengal in this Exhibition. After all the primary object of the participation of any country in an Exhibition of this kind is, as has been said by my friend, Mr. Langford James, to advertise its manufacture products with a view to secure suitable markets for their sale. Now what are the manufactured products that Bengal can exhibit with a view to secure large sales of them in different parts of the Empire or in various parts of the world? Let us take first the Textile Industry. So far as I know there are only five or six cotton mills in Bengal. The Banga Laksmi Cotton Mill was in a moribund condition until recently, but thanks to the untiring efforts of Mr. Byomkesh Chakravarti and Mr. K. K. Lahiri, it has now been placed upon a satisfactory footing. It is well-known that the spinning of yarn is largely centred in Bombay, the mills of that province producing no less than 75 per cent. of the total quantity of yarn produced in British India. Bengal, I believe, produces only 5 per cent. It is true that we produce some handloom cloth of fine quality in Dacca and elsewhere, but we have not the means to produce it in large quantity. We cannot even supply the demand that there is in Bengal for this fine quality of handloom cloth. Then, of course, Dacca produces its famous muslin; but the quantity it can produce is so small that it is not worth our while to exhibit it. Take jute. In this industry the share of the people of Bengal is unfortunately confined to producing jute in the fields and to supplying the labour to the jute mills. This industry undoubtedly has assumed colossal proportions. The value of jute exported from Bengal amounts to nearly Rs. 42 crores every year. But I submit, as has been said by Mr. Langford James, that no exhibition is necessary to advertise jute manufactures. The jute industry is practically a monopoly of Scotchmen of Dundee, and they are the last persons in the world to need assistance from any body in selling what they manufacture. Take tea. No exhibition is necessary in this case also. Garden-owners, like Mr. Langford James, have got their agents in the United Kingdom and in other parts of the world where tea is consumed. Recently we are producing leather and making boots and shoes, but neither the quantity nor the quality is such that any useful purpose will be served by exhibiting these in the British Empire Exhibition. On the contrary I agree with Babu Indu Bhushan Dutta that a good deal of harm might be done by exhibiting boots and shoes that we are making, because it is quite easy for a big manufacturing country to manufacture on a large scale the kind of

boots and shoes which we are making and send them out here and sell them at a rate much cheaper than our prices. On the same reasoning it is no use exhibiting brass and silver wares that we are making at Dacca and elsewhere, because we have not the means of producing them in large quantities. We cannot even satisfy the demand of Bengal. Then as regards the silk manufacture in Berhampore and elsewhere, we cannot supply the demand in India nor even in Bengal. The truth is we are not a manufacturing country and therefore, it will not benefit us in the least to participate in the British Empire Exhibition. As regards the amendment of Babu Indu Bhushan Dutta, I venture to think that it is really absurd to ask the British Empire Exhibition authorities to provide money for enabling us to participate in their Exhibition. In the first place, no one has ever heard of the organizers of an exhibition paying their exhibitors to come and show their goods, and in the second place, I think it is perfectly humiliating to beg money for the purpose of participating in this Exhibiton. Therefore I oppose both the resolution and the amendment.

Sir ASUTOSH CHAUDHURI: I regret that I do not approve of any opposition to the resolution which has been moved by the Hon'ble the Minister for Agriculture and Industries. I regret the feeling which has actuated this opposition. It seems to me that the members who have been actuated—I do not know by what motive—to oppose this resolution—have not seen far enough with regard to the possibilities of such an exhibition. It may not be known to my friend, Mr. D. C. Ghose, that there are products even now in Dacca which require a good market. Has he ever heard of the *kashida* products? In recent years there has been a large sale of *kashida* products in Europe because we do not buy them in sufficient quantities here. It is the Muhammadan community of Dacca which is benefiting by these products. They are able to produce a larger quantity of *kashida* if the demand is greater. Is it not right that we should help them to produce more *kashida* which is made into turbans and various other things and commands a market in Chicago, Turkey, and Central Europe? There are other products also in Bengal which are valued in Europe. Why are you thinking of the products of machinery alone? There are home industries which have got to be supported. There is a large quantity of such products in Bengal for which there are no buyers. If a man can produce a piece of muslin and if he cannot find a buyer in the country he must be helped to sell his productions. Muslin can be produced in larger quantities if there is a market for them. There is none at present in Bengal, but there is a market for them and good lace outside India. An exhibition of this character will help things forward. I regret that an idea prevails amongst some of our members that this is only a process of exploitation on the part of British commercial men. There should be no such fear, and I hope whole-hearted support will be given

to the resolution which has been brought forward by the Hon'ble the Minister.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: I had an opportunity of being present at the White City Exhibition in London a few years ago and from my personal experience I can say that through an exhibition like that Indian products can be introduced into England and other parts of Europe and it will be to the benefit of India. I can give you an instance. In that exhibition one Kedarnath Das Gupta exhibited mangoes preserved in syrup and from that time this article commands a ready market in England. Several such instances can be given. Guava jelly is manufactured here and if it is brought to the notice of the English public it will have a large sale there. I am not talking of the articles which the rich people will purchase but these jellies and other things will be consumed by the ordinary people there and will have a ready sale. Sir, I myself am in business and I also know the possibilities of exhibiting Indian manufactured boots and shoes in England. I differ from Mr Ghose that our leather goods are not worth exhibiting. The products of the National Tannery and even of the Utkal Tannery are considered to be better than some of the English manufactured goods and I am sure that our boots and shoes will command a ready market there. Sir, we have cheap labour here and from the labour point of view this Exhibition will be of immense benefit to us. By exhibiting these goods we shall convince English labour that Indian labour here is getting up-to-date and that Indian labour is not merely *jungli* labour. They will know that Indian labour can produce things which they themselves cannot produce so well and they will have greater respect for Indian labour. They will know that Indian labourers are not merely tea garden coolies but that they are skilled workers and this feeling I want to have created in England. Therefore, I think that we should participate in the British Empire Exhibition.

Maulvi YAKUINUDDIN AHMED: The resolution which has been moved by the Hon'ble the Minister for Industries and Agriculture requires support, for it is an exhibition in which the Dominions would participate; why should India alone participate in this Exhibition and not Bengal as well? Therefore if we approach the subject from this point of view, I think we have to support the resolution. But at the same time we ought to take into consideration the economic condition of India as also that of Bengal. I therefore support the resolution of the Hon'ble the Minister but the expenditure ought not to be very much. It ought to be in consonance with the economic condition of Bengal.

Mr. HUSEYN SHAHEED SUHRAWARDY: I beg to support the amendment in the same spirit in which Babu Indu Bhushan Dutta moved it, viz., in the spirit of opposition to the resolution, and my main reason for supporting the amendment is the financial reason.

Many members here who come from the mufassal are not aware of the feeling of indignation which prevails here amongst the people of Calcutta on account of certain impositions that have been placed upon the poor people here that whenever any resolution arises which demands an extraordinary expenditure which can by any possibility be avoided we shall rise in our ranks to oppose such a resolution. I should like to know whether these three lakhs of rupees will be derived from the income which the hospitals of Calcutta will get from the imposition which has been so barbarously laid upon the poor people of Calcutta by the Hon'ble the Minister of Public Health.

Mr. PRESIDENT: I do not think it is quite in order. You are travelling outside the bounds of the subject. You will please keep within bounds.

Mr. HUSEYN SHAHEED SUHRAWARDY: Where is this money to come from? Is this money coming from the hospitals?

Mr. PRESIDENT: We are not concerned with the source from which the money is to come. We are now concerned with the proposal to contribute a sum of money for the Exhibition.

Mr. HUSEYN SHAHEED SUHRAWARDY: Then, I say that it is criminal for us to spend three lakhs of rupees when the financial stringency is so great that the poor people of Calcutta have to pay eight annas to gain admission into the free and charitable hospitals of Calcutta and to pay four pice for every three marks of medicine that they take. It is scandalous that, when things like these are introduced, with the sanction of a Minister of the Government, Government should come forward with a proposal to spend three lakhs of rupees on an Exhibition.

Dr. JATINDRA NATH MOITRA: It is my melancholy duty to oppose the grant for the coming Empire Exhibition. Sir, I do not propose to enter into the merits or the value which can be derived from such an exhibition. In the face of the stringent financial condition of the Government of Bengal since the inauguration of the Reform constitution, in the face of a huge deficit of about one crore of rupees staring in our face in the next coming budget, in the face of an attempt to curtail all educational activities of this province as has been recommended by the Retrenchment Committee, in the face of the particular taxation which my friend, Mr. Huseyn Shaheed Suhrawardy, has just stated from the poor hospital patients of this country, can Bengal honestly feel the slightest enthusiasm to participate in a foreign exhibition which means an expenditure of the huge sum of rupees three lakhs? I know there are some enthusiasts among us like Mr. Langford James who would like to spend money—hard-earned money—from

the coffers of the poor cultivators of this province and I have no objection if those enthusiasts spend money from their own pockets without asking any sum to be spent by the representatives of this Council. I feel certain that all right-thinking men, considering the present financial position of the province, will oppose whole-heartedly the expenditure for the purpose of this Exhibition in a foreign country.

Rai HARENDRANATH CHAUDHURI: There has been much talk over the subject, though no one has stated what are the exact objects of the British Empire Exhibition. The objects are worth quoting. They are—

"(1) To find fresh sources of national wealth in the development and utilization of the raw materials of the Empire.

(2) To foster inter-Imperial trade and find a world market for Dominion and home products—(here there is no mention of India).

(3) To make the different parts and people of the British Empire better known to each other, and to focus public attention in England to the illimitable possibilities of India and the great Dominions Overseas as well as the Crown Colonies and Dependencies."

It is patent from this that the object of the Exhibition is not so much to find a world market for Indian products and manufactures as to "focus public attention in England to the illimitable possibilities of India." To be frank, Sir, this is one of the very things which we desire to avoid in our present position, viz., more and more attention simply to our raw materials. My friend, Babu Indu Bhushan Dutta, has referred to the fact that the Ceylon Government have decided not to participate in the British Empire Exhibition. But why he has not explained. An official *communiqué* states that "the Ceylon Government consulted the various local bodies interested, but little or no enthusiasm was evinced and the expenditure which the participation would involve was such that the Government (*i.e.*, the Ceylon Government) in the present financial position of the Colony could not possibly contemplate without an assurance of extensive local support." The Hon'ble the Minister moving this resolution in a written speech has not dealt with this aspect of the question and has not been pleased to inform us if the local bodies were consulted or not, and if consulted, what assurance of extensive local support he has got. And if Ceylon could consider that her financial position was not such as could allow her to participate in the Exhibition I do not understand why we also could not and should not consider our financial position in this connection. Why, in the face of the present financial stringency, should we be a party to the expenditure of three lakhs of rupees simply for the advertisement of certain products or goods of our country when our

home industries are dying for want of financial support? Sir, it is a historical truth that India was a manufacturing country; but it is not so now. Under the present circumstances, therefore, when India has got to depend for her daily needs on outside manufactures, I do not understand how we are in a position to take part in such an Exhibition. I would strongly request our Government to consider the present financial situation and to decline the invitation extended to us on grounds of financial stringency.

Babu SURENDRA NATH MALLIK: I agree with Babu Indu Bhushan Dutta and Mr. D. C. Ghose in their view for reasons that need not be stated in detail, and in view of our present financial condition, I think it is impossible for me to support this idea of spending three lakhs of rupees on account of this Exhibition. It is possible that some of our nascent industries might be benefited by this Exhibition, but regard being had to the fact that the chief raw products of our country are rice and jute, which require no advertisement in England, I do not know whether the corresponding gain to the tax-payers will be such as would justify our expending this money. I do not go into the question of the exploitation of this country by England because that is not necessary at the present moment, nor do I think that any implication of motive as has been suggested by the Labour member is called for, but there is the solid reason which cannot be got over and that is our present financial difficulty, and in the face of that it will be unjust to our country if we under any circumstances agree to spend this three lakhs of rupees which will be a heavy drain on our present resources. I am, therefore, decidedly of opinion that this money ought to be spent by the British Exhibition authorities and not by ourselves, and to that extent I whole-heartedly oppose any idea of spending money for this purpose because this is not the time——

Mr. KRISHNA CHANDRA RAY CHAUDHURI: What about Bombay?

Babu SURENDRA NATH MALLIK: I am not concerned with Bombay: Bengal is my motherland and I am here to serve her. I do not know the conditions of Bombay—they might be prosperous. The member does not perhaps know that her income is about 19½ crores while ours is barely 10 crores. We have been called upon to make retrenchments. We are going to cut down the pay of our own people and to stop many of our activities in order to make two ends meet, and is it time that we should spend three lakhs of rupees for this purpose? I, as a member of the Retrenchment Committee, should be the first to oppose this and I, under any circumstances, cannot countenance an expenditure of this character.

Babu NITYA DHON MUKHERJEE: I do not think that any contradictory conduct of Government is taken in the same light as that of private individuals, otherwise the Government would not have come forward with the report of the Retrenchment Committee on one hand and with the proposal for the expenditure of three lakhs on the other. The question of the present financial condition has not been discussed by any of those gentlemen who got up to support this motion. Some gentlemen said that some industries of Dacca or other places might find a field in England, and it has been stated by the Labour member that a few years ago he found that some Bengal products got a market in England as a result of these things being exhibited at an exhibition. But this argument goes against the proposal; because if the Indian products found a market in England without any previous exhibition in India, there is no necessity for an exhibition like the one proposed. One of the members interrupted while Babu Surendra Nath Mallik was speaking by saying—What about Bombay? Well, he forgets that Madras and Bombay have not got permanent settlement; they are increasing their revenue every year, whereas we had to amend the Court-fees Act and the Stamp Act for getting increased revenue, and even to ask people to pay for enjoying amusements. So I do not see with what face this demand can be made. I do not think that anyone having the least sense of responsibility will support this motion.

Kumar SHIB SHEKHARESWAR RAY: As has been stated by the Hon'ble the Minister, our budget estimate for the current year contained a demand for Rs. 25,000 to meet the expenses arising out of our participation in the British Empire Exhibition. But this grant would lapse at the end of the year. So, when I got the notice of this resolution, I thought that the Department of Industries wanted to be sure of the attitude of the House before including the sum in the next year's budget. Sir, no one denies the fact that these exhibitions have great educative value both from economic and commercial considerations. Further, Sir, the experience of the great war has taught us that it is politically imperative that the resources of the British Empire both in raw materials and finished products should be widely known to the people of the different parts of the Empire. It is, therefore, Sir, that though Bengal itself is not going to derive much benefit from this Empire Exhibition, we sanctioned the amount of Rs. 25,000 on the last occasion. But, Sir, there must be put a limit to our expenses in this connection. A statement made by the Hon'ble the Minister this morning has taken our breath away. If it is thought that the expenses would exceed Rs. 25,000 by a sum of Rs. 2,75,000—though we have not got the revised estimate, I think it might be another two lakhs—we would rather not participate in this British Empire Exhibition. But, Sir, if the Exhibition authorities assure us of paying our expenses

—I do not say entire expenses, but expenses in excess of the sanctioned amount of Rs. 25,000—I surely would not object to this resolution. But, Sir, by this resolution if it is meant that we are asked to sanction three lakhs of rupees, then before we sanction this huge amount from our depleted coffers, we must see as to how we, the people of Bengal, are going to be benefited by it. Sir, high-sounding imperial terms might dazzle us. They may waft us to the seventh heaven. But when we spend money gathered by imposing new taxes, squeezing it out of the poor people, even by taxing their amusements, we must be convinced that the money we spent is going to return to us hundred-fold; otherwise we would be bad custodians of the people's money. I shall not be long. Whatever I wanted to say has been said by other members. I am not opposed to the principle of the resolution, but I am opposed to the spending of three lakhs of rupees.

Mr. J. CAMPBELL FORRESTER: The member, who is seated in front of me, has stated that the country is poor and this is not the time to spend money, but this is a business proposition and, as such, when business is dull and there is not much doing, a good business man spends more money on advertising his business, and the larger the amount he spends on judicious advertisement, the greater return he gets, as witness—Sunlight Soap, Beecham's Pills, and many others. These businesses started in a very small way but by advertising, they have grown into the great prosperous concern they are now. You have got a golden opportunity of displaying the arts and industries of Bengal on reasonable terms, in a great Exhibition that is going to be held in England—an Exhibition that will be visited by people from all parts of the world. The advantages to me are so apparent that I cannot understand the narrowness of the views expressed by those who oppose the motion. Some of the members opposing this motion say that if large orders came, they would not be able to meet the demands of the foreign countries. I cannot understand this statement. I have not found the Bengali lacking in enterprise when he sees opportunities of advancing his business position and it stands to reason if there is a large demand, the prices will go up, the industries will increase and what you call a poverty-stricken country will become a very prosperous country, but the members who oppose this reason are doing the very thing that will damn the prosperity of the country by missing a golden opportunity. I hope that this Council will take a big broad view of the question and recognize that the one way of advancing the cause of Bengal's industries is by displaying her arts and industries on all suitable occasions. An Exhibition such as this only come once in a man's life-time, and Bengal would be foolish and lacking in foresight, should she not seize this opportunity.

Rai JOGENDRA CHUNDER GHOSE Bahadur: Before I say anything I must say that I find the old system was much better than the

present one for old persons like Rai Mahendra Chandra Mitra Bahadur and myself.

Mr. PRESIDENT: I cannot allow you to discuss that matter in any shape or form. You must confine yourself to the subject of the resolution.

Rai JOGENDRA CHUNDER GHOSE Bahadur: This question should be considered impartially and with calmness. I have been connected with exhibitions and industries of all sorts in this country for the last 20 years and I know what they mean. I cannot take the *ipse dixit* of gentlemen who say that we have got so many industries which would be benefited by participation in the Exhibition to be held in England. I cannot take from Sir Asutosh Chaudhuri that certain arts of my own district would get a great fillip by participating in this Exhibition. He does not know what he speaks of. He was quite right and so was Mr. Langford James that the cottage industires of Bengal can be exhibited there. Now what are the cottage industires of Bengal that can be sent to London? *Khadar?* Certainly not. Nobody has told us what we are going to send to London. Somebody said that leather goods should be sent. He does not know what he speaks of. I have been connected with the leather industry and I know that England will not take fully cured leather from India. England only takes half-cured leather. People come here and say things of which they have no knowledge whatsoever.

Now, Sir, having said all this, I must say that Bengal being a part of the British Empire it does not look gracious on our part not to participate in an Exhibition held as an Empire Exhibition, but we must remember that we shall derive very little benefit from it—a fact which nobody can question. Remembering that we should spend as little as possible, and, therefore, I do hope that the Hon'ble the Minister will not spend more than one lakh of rupees in this matter. We can spend that much for the *tamasha* and for pleasing the British people and no more. The motion does not speak of any sum of money, and if the Hon'ble the Minister in charge only tells us that he would spend a small sum of money, not three lakhs, we shall agree to it.

Mr. DEPUTY-PRESIDENT (Babu Surendra Nath Ray): I had no mind to take part in this debate, but I think I ought to say a few words. It has been said that we ought to participate in this Exhibition. Well, I think this being a British Empire Exhibition we ought to take part in it. We know—at least the Hon'ble the Minister has told us—that even such a poor province as Bihar is going to contribute about a lakh of rupees. Of course, Bengal is also hard hit: it is financially very poor. Whether a sum of three lakhs of rupees ought to be contributed by the Presidency of Bengal and whether the benefit that Bengal will derive will be commensurate with that contribution are matters which require

serious consideration. We have already, I think, budgeted for Rs. 25,000 to be paid out of the budget of this year, and I think another Rs. 25,000 or so ought to be a quite sufficient contribution from Bengal. My friend, Rai Jogendra Chunder Ghose Bahadur, has said that about a lakh of rupees should be spent. Well, that seems to me not a very unreasonable amount. We ought to participate in this British Empire Exhibition because Bengal being a part of the British Empire, it does not look well that we should remain seated in our chairs and not contribute one single pice. We have already promised to pay Rs. 25,000 and we ought to pay something more. That is all I have to say.

Khan Bahadur Maulvi WASIMUDDIN AHMED: I beg to support the resolution so ably moved by the Hon'ble the Minister in charge of Industries. It has been put forward that this province is poor and passing through a financial crisis and so it cannot afford to spare three lakhs of rupees for participation in the British Empire Exhibition. But we must remember that these things are of far-reaching effect and unless we know what are the benefits that are likely to accrue from such an exhibition, we cannot form any definite idea whether we should support this resolution or oppose it. In order to decide whether we should take any part in it we must be guided by the opinion of people who have experience abroad and know what are the necessities of the world, and whether there is any possibility of market in other countries for articles which our country can produce at much lesser cost. Looking from that point of view we find that such gentlemen having wide experience as Sir Asutosh Chaudhuri, Mr. Krishna Chandra Ray Chaudhuri and Mr. Langford James have already told us that there is ample field abroad for the products of this country. We find that our country can produce silk for which there is a greater demand in other countries: at Dacca we have got conch industry, silver wares, which are much appreciated abroad, and there is a nascent industry in button-making. Of course the buttons are not of a very superior quality but we must see whether we can produce it at a much lesser cost and so command the market outside India. It has been said that we are importing large quantities of leather-made articles from foreign countries and if we send our products it would not benefit our country, but on the contrary it would give an opportunity to the foreigners to imitate and send those articles, but they forget one thing that our raw leather are to a certain extent not cured. We can cure this leather, and we know by experience that country-made shoes are more lastiug than English-made ones, and it is possible that the foreigners may demand articles which may prove more lasting than those produced in their own country. It is not only boots and shoes, but also things as saddlery, etc., if exhibited in such a world-wide Exhibition, can find a ready market in other countries. Then, again, some young men of our country are producing medicines. Take, for instance, the Grimault's Syrup. I do not know whether our

medicine is equally efficacious, but if we can prove to the world that our products are not only efficacious but at the same time cheap, we can fairly hope that they will find a ready market outside India. Then what is this three lakhs of rupees? That is only a thousandth part of our expenditure and that too will be spread over three years. Every time we say we are poor, but are we doing anything to augment the resources of our country? This expenditure is intended for augmenting the resources of our country so as to enable our people to offer their commodities for sale to the world and by doing so they can get some money, and Government may get something out of the taxes that may be levied on these products. Therefore, it is productive business, and we should not grudge an amount of three lakhs of rupees.

It has been suggested that the expenditure should be curtailed, but that is a matter which should be left to the experts. I think the Minister and his staff should consider whether they should spend three lakhs or one lakh. Perhaps by spending three lakhs better and prominent space can be secured and a portion of the money can be got back by subletting part of the space

It has been said that the land revenues of Bombay are greater than those of Bengal, but that has nothing to do with the advertisement of our industries such as silk, *andies*, *mugas*, ivory works, silver wares, and other things. These products will find a ready market abroad and we can get a sufficient return.

With these words I strongly support the resolution moved by the Hon'ble the Minister.

Rai MAHENDRA CHANDRA MITRA Bahadur: I desire to speak on this subject. I am sorry to oppose the resolution. Let me speak straight to the Council. Are we in a position to contribute three lakhs of rupees for participating in the Exhibition? It cannot be denied, it ought not to be denied, that there is a cry of poverty throughout the land. It cannot be denied and it ought not to be denied that we cannot vote for three lakhs of rupees for this purpose. Irrespective and independent of the merits of the resolution, we can say this that it will be very hard in these days to contribute so large a sum of money. We would have been very proud—I say Bengal would have been very proud—to take part in the Exhibition, but as a matter of fact it is a large sum of money which we cannot spare. Members of the Council know very well that everywhere in the land—everywhere in Bengal—after the publication of the Report of the Retrenchment Committee there has been great anxiety, and when the Council is going to retrench the salaries of many of the officers of Government, will it be fair, will it be just to vote, for a contribution of three lakhs of rupees? Now it is said that there will be no advantage in sending our articles and goods to the

Exhibition. I do not share in that. There are advantages and disadvantages, but the question is the economic condition of the country and it precludes us from supporting the motion.

Babu SATISH CHANDRA MUKHARJI: I beg to move that the question be now put.

On a show of hands being taken, the motion that the question be now put was declared lost.

Babu JOGENDRA NATH ROY: While according my support to the resolution moved by the Hon'ble the Minister, I would like to say that I am not for spending a considerable sum of money in connection with the Exhibition either at Calcutta or at London. We are all aware of the financial condition of the Government. This deplorable condition of our finance was already explained by His Excellency the Governor at Suri the other day when he admitted that though the present ignorance had to be enlightened, sickness had to be fought out and industries had to be helped, nothing could be done for want of funds and he had none to give. Under these conditions, it would be hard to justify an expenditure of so much money save and except that of public utility. That is one of the reasons I want to adduce. The second reason is that this Exhibition in London is intended for the benefit of manufacturing countries and that we should not pay for it. With this reservation, I support the Hon'ble the Minister's proposal.

Mr. SYED NASIM ALI: At first I thought that I would not take part in this debate, and in fact for a layman like me it was very difficult to decide as to whether I should support or oppose the resolution. From the arguments which have been advanced by the oppositionists I find that they may be classified under three heads. The first objection is that it is a mere sentimental matter, whereas business men call it a business problem. I have never heard such conflicting views being pushed forward from two sides. Some of the members who have got absolutely no connection with trade or business hold that it is a mere sentimental question. Other gentlemen who are connected with business, who are merchants, consider this question as merely a business question. Those gentlemen who call it a mere sentimental thing are not in any way associated with business, so far as I know. Therefore, for a layman like me, I will have to attach importance to the views of the business men and will have to arrive at my decision accordingly. But then, there is the other objection, viz., that the financial stringency of the province does not allow us to spend a heavy sum of three lakhs. That is an argument which has got much force, but at the same time we must consider what is the return for this investment, if we accept the views of business men that it is merely a business question. Mr. Mallik and others, who have said that the financial stringency of the province does not admit of such a heavy expenditure, said that they were not in

a position to say what would be the ultimate return for this investment--I should call it so—if the All-India British Empire Exhibition. That evidently must be the test, but one can hardly say how far the industries of the province would be bettered by taking part in the All-India British Empire Exhibition: that must evidently be a guess and it is always a guesswork. It is the business men who can say whether a substantial return will be gained by the people of this province if really Bengal participates in the All-India British Empire Exhibition. To me it seems that when the possibilities are numerous, when the possibilities are unknown, and when no man can definitely say what would be the return for this investment, it is desirable that at least the Hon'ble the Minister of Industries should be given an opportunity of making this experiment. It is nowhere suggested and nobody has suggested it, that it would lead to no profits. It will lead to some profits, but whether the profits that would be gained would be commensurate with the investment is a question which remains to be decided and which remains to be seen.

Then there is the question of amount Of course there is no substantive amendment to that effect, but some members have suggested that the amount ought to be cut down. Now, that evidently would require expert opinion. The Hon'ble the Minister must have at his resources experts who would be in a position to say things of what kind, of what varieties and up to what extent should be exhibited. If we simply take part in an exhibition and if all the important things are not exhibited, it is better that we should not do anything. If we are to make exhibitions at all, we must exhibit such things as would really lead to some good results. As to what things should be exhibited and what not, the experts and the business men can very well say. Therefore it will be for the Hon'ble the Minister, with the help of his experts as well as with the help of business men, to decide as to what exhibits he would select for exhibition in the All-India British Empire Exhibition and I hope that the Hon'ble the Minister, who has got in the heart of his hearts a desire for economy as well as any other member of the Council, would see his way just only to spend so much money as is essentially necessary for making all exhibits that should be exhibited in order that the rural products of this particular province may be exhibited. For that we can safely depend upon the Hon'ble the Minister and his experts and the business men who must have advised him in this matter. Therefore, as there is no substantive amendment regarding the amount which has to be spent, I have no other alternative but to support the resolution moved by the Hon'ble the Minister and to oppose the amendment which has been moved by Babu Indu Bhushan Dutta.

SECRETARY to GOVERNMENT, DEPARTMENT of AGRICULTURE and INDUSTRIES (Mr. J. T. Donovan): When this resolution was introduced it was beyond the hopes of the greatest optimist

that it would escape the attention of the "breezy corner" where the permanent opposition has installed itself. When, however, the breezes that emanated from that corner have been of such a kind as completely to upset the equilibrium of the whole question and to lead to consideration of the most irrelevant matters, we naturally feel somewhat aggrieved. We have heard, as a result of the opposition that originated, as I have said, in that corner, discussions of various matters from the Permanent Settlement to the price of castor oil. We have had people wandering all about the question discussing anything except the question, arguing whether it should be three lakhs or whether it should be two lakhs or Rs. 25,000. One member alone, Khan Bahadur Maulvi Wasimuddin Ahmed appears to me to have thoroughly grasped our position as we wished it to be grasped. We are not here asking for a vote for money. The time for that will come when the budget comes. We are here asking the Council to accept a principle, the principle being that we should participate in the British Empire Exhibition, and that with a view to that participation we should have a preliminary Exhibition in Calcutta. If anybody in this Council imagines that this can be done without spending money, well, it is useless for me to try and convince him that it cannot. If he is capable of imagining that, there is no use discussing it with him. We know that it will cost money and when we know accurately the amount of money that it will cost, we shall be able to tell the Council. Now we have taken an estimate which has been given to us by the Commissioner of the British Empire Exhibition in order to give some idea of the expense to the Council and even this figure, within my hearing, is misrepresented in a most incredible fashion. By member after member it has been suggested that the Hon'ble the Minister has asked the Council to spend three lakhs on this Exhibition. The Hon'ble the Minister clearly suggested that we might have to incur an expenditure of three lakhs accompanied by minimum recoveries extending to one and a half lakhs. The members who have opposed the motion have, however, very conveniently avoided all mention of recoveries; without exception they have avoided this. Even Babu Surendra Nath Mallik, who has so lately been dealing with recoveries and retrenchments, has completely avoided all consideration of the one and a half lakhs which the Hon'ble the Minister has said will be the minimum recoveries on an expenditure of three lakhs.

Mr. Syed Nasim Ali has very rightly pointed out that two opposite sets of opinions have been put before the Council. One set claims that this is a sentimental question purely. Another set holds that it is a question of business. The fact of the matter is that it is both a question of sentiment and of business and even at the risk of reiterating what has been said before, I shall endeavour to prove to the Council that as a question of sentiment and as a question of business it is a question which deserves our favourable consideration.

Even from what I have called the breezy corner I did not expect to hear, as has been suggested, that the British Empire is not an Empire for which we should adopt the so-called suicidal policy of spending a lakh and a half of rupees. For the British Empire hundreds and thousands of men have laid down their lives and treasure untold has been spent. And yet we have heard it said that even for this Empire, the so-called suicidal policy of spending one and a half lakhs cannot commend itself to the Council.

I have said that we are dealing with a question of sentiment as well as of business, and I shall confess no shame if any words of mine are sentimental. I want the Council to consider what has been done throughout the British Empire for this Exhibition. It has been suggested that this Exhibition has been organized for the benefit of England and for the benefit of the manufacturing countries at home. Well, Australia, Canada, countries like Africa, New Zealand, the whole Empire including India, have rallied to England in this.

Kumar SHIB SHEKHARESWAR RAY: Question!

Mr. J. T. DONOVAN: From the same corner comes a question. It has been questioned that the whole British Empire has rallied to England and that India has rallied to England in this matter. There is no part of the British Empire, except St. Helena and Ceylon, which has refused to participate in this Exhibition.

Kumar SHIB SHEKHARESWAR RAY: What about Mauritius?

Mr. J. T. DONOVAN: Mauritius has already taken space in the British Empire Exhibition. If the member who has interrupted me wishes to know the places which have taken space in the Exhibition I can give him figures. Australia has taken 150,000 square feet and is spending £250,000. Canada is pledged to participate and although the latest information to hand has not given the figures, it is authoritatively stated that Canada will emulate Australia. New Zealand has taken 40,000 square feet and is spending £60,000. Burma has taken 2½ acres and is spending seven lakhs of rupees, South Africa has decided upon a building occupying 25,000 square feet and costing £30,000. Mauritius, Kenya, Nyasaland, Sudan, Tanganyika, Uganda, Zanzibar, Somaliland, The Bahamans, British Honduras, Jamaica, The Windward Islands, The Falkland Islands, Cyprus, Palestine, Straits Settlements, Solomon Islands, Gilbert Islands, Gambia, Gold Coast, Nigeria, Sierra Leone—all these have already taken space in the British Empire Exhibition.

Last year at this time, as the Hon'ble the Minister pointed out, when the Legislative Assembly was faced with a deficit about which we all know—that was the second great deficit budget—and when the political horizon was overcast, in spite of all, the Government of India,

supported by the Legislative Assembly's unanimous vote came to a decision to participate in the British Empire Exhibition at a cost of £167,000. As has been said, they were largely persuaded in this decision by the pleadings of the members from Bengal, and it has rightly been argued that Bengal is in consequence morally bound to support them. Since then, during the year that has elapsed, five provinces have considered this question. Bombay, United Provinces, the Punjab, Bihar and Orissa, and Madras. In all these provinces, a solid vote was given for participation in the British Empire Exhibition on sentimental and on business grounds. The British Empire Exhibition Commissioner has told me—he is here at present and is listening to me—that in all these Councils the proposal was carried by a large majority. We have of course seen it published in certain papers that Bihar and Orissa refused to participate. That statement though denied remained uncontradicted, of course, in certain papers. I repeat now that no province has yet refused to participate, and it will be a shame if Bengal refuses. As I have said before, we are not discussing the amount which it will cost. We are discussing the principle and I trust that the Council, knowing that it will have an opportunity of discussing the amount which will be asked for in connection with this Exhibition, will agree to the principle now. I am glad to say I have observed what I think are symptoms of this agreement, and I hope I am not mistaken.

It is hardly necessary for me to assure the House that neither the Hon'ble the Minister nor I am oblivious of the financial condition of Bengal. It is hardly necessary for me to say that we have not closed our eyes to the operations of the Retrenchment Committee who have been sweeping the administrative house from roof to cellar suggesting, in their eagerness to find the missing groats, even the removal of five of the great joists of the "steel frame." It cannot be seriously contended that we have overlooked all this. We have not done so.

There is indeed a sentimental side to this question. India is a part of the British Empire and as part of the British Empire the Legislative Assembly decided to enter into the British Empire Exhibition. We in Bengal are part of the British Empire and are part of India. Is there any one here who is ashamed of the relation? We must go with India: we must go with the British Empire.

There is a business side to this question. We have been told that we have not much to show and the same speaker has told us that even what we have will only be imitated. Then we have been told that whatever goods we send, it is no use sending them for sale, as they will not be sold. I ask the Council, as a business proposition, are we more likely to sell our things if we keep them here at home or if we send them to the Exhibition? If we wish to advertise them to the world, surely it is an obvious business proposition to take advantage

of this unique opportunity for advertisement. I leave that to the business men, however.

I turn now to what seems to me to be one of the strongest reasons why Bengal should participate in this Exhibition. I have argued and I hold that we are morally bound to participate. I hold that we are morally bound, bound to Bengal itself, to India and to the British Empire to participate. I have argued and I hold that on economic grounds we should participate, as business members of this Council have argued. Above all, however, do I argue and do I hold that on political grounds it would be inexcusable folly on the part of the people of Bengal to hide their heads or sulk and remain away, while 40 million people are coming to see what the Empire can do. What will these 40 million people say if they gaze round and gaze in vain for Bengal? Where, they will ask, are those political pioneers of the East, where are those people to whom we are to entrust more and more rapidly the destinies of a continent? When the whole Empire is gathered together in the bosom of the mother—her adopted children and the children of her blood—is Bengal alone going to remain aside? I hold that on every ground this Council will be ill-advised to remain out of the Exhibition.

I wish to emphasize once more that there is no question of the amount of funds being discussed. The question of the amount of funds will come up afterwards and the Council will have an opportunity of dealing with these funds and even of items specified in connection with them. There is no doubt that the expenditure will be kept down to the lowest possible minimum. There is no doubt that the great industries of Bengal which will exhibit their products in this Empire Exhibition will be required to pay for their exhibits. We are not going to bolster up the jute industry, the tea industry, the coal industry, or the great iron industry at the expense of the taxpayers of Bengal. It is essential, however, that our minor industries of which there are many, in spite of what has been said, must be supported by Government and they must be brought into touch with the Exhibition by Government. We must buy their products and send them to the Exhibition, and for that we shall require funds. Otherwise they will never reach the world and they will never be known and this unique opportunity will be gone for another fifty years.

Babu INDU BHUSHAN DUTTA: May I ask the Hon'ble the Minister one question.

Mr. PRESIDENT: There can be no further speeches. The hon'ble member has replied.

Babu INDU BHUSHAN DUTTA: May I ask a question?

Mr. PRESIDENT: I do not think I can allow that. We have had a very long debate.

Babu INDU BHUSHAN DUTTA: Just one question!

Mr. PRESIDENT: I am afraid not. We have a lot of business to transact this afternoon.

The following motion of Babu Indu Bhushan Dutta was then put:—

"This Council recommends to the Government that the province of Bengal should participate in the British Empire Exhibition of 1924, and that, with a view to this participation, steps be taken to organize a preliminary Exhibition in Calcutta in the cold weather of 1923, provided that the British Empire Exhibition authorities pay all costs in connection with the exhibits sent from Bengal."

A division was taken with the following result:—

AYES.

Ahmed, Munshi Jafar.
Aley, Mr. S. Mahboob.
Basu, Babu Jatindra Nath.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Rai Harendranath.
Das, Babu Bhishmadev.
Das Gupta, Rai Bahadur Nibaran Chandra.
De, Rai Bahadur Fanindralal.
Doss, Rai Bahadur Pyari Lal.
Dutta, Babu Indu Bhushan.
Huq, Maulvi Ekramul.
Mallik, Babu Surendra Nath.
Mitra, Rai Bahadur Mahendra Chandra.
Moitra, Dr. Jatindra Nath.
Mukharji, Babu Satish Chandra.
Mukherjee, Babu Nitya Dhon.
Mukherji, Professor S. C.
Mullick, Babu Nirode Behary.
Nasker, Babu Hem Chandra.
Ray, Babu Surendra Nath.
Ray, Kumar Shib Shekhareswar.
Rishi, Babu Rashik Chandra.
Roy, Babu Nalini Nath.
Roy, Maharaja Bahadur Kshaunish Chandra
Sarkar, Babu Fishindra Nath.
Suhrawardy, Mr. Huseyn Shahed.

NOES.

Ahmed, Khan Bahadur Maulvi Emaduddin.
Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ahmed, Maulvi Yakuinuddin.
Ali, Mr. Syed Nasim.
Azam, Khan Bahadur Khwaja Mohamed.
Banerjea, the Hon'ble Sir Surendra Nath.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Birley, Mr L.
Bose, Mr. S. M.
Carey, Mr. W. C.
Chaudhuri, Sir Asutosh.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Khan Bahadur Maulvi Ramatjan.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Crawford, Mr. T. C.
Currie, Mr. W. C.
Das, Mr. S. R.
Deare, Major-General S. H.
Dey, Mr. G. C.
Donald, the Hon'ble Mr. J.
Donovan, Mr. J. T.
Faroqui, Mr. K. C. M.
Forrester, Mr. J. Campbell.
Goode, Mr. S. W.
Hornell, Mr. W. W.
Huntingford, Mr. C. T.
James, Mr. R. H. L. Langford.
Khan, Maulvi Md. Rafique Uddin.
Khan, Mr. Razaur Rahman.
Khan Chaudhuri, Khan Bahadur Maulvi Muhammad Ershad Ali.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble the
Marr, Mr. A.
McAlpin, Mr. M. C.
Mitter, the Hon'ble Mr. P. C.
Morgan, Mr. C.
Pahlowan, Maulvi Md. Abdul Jubbar.
Parrott, Mr. P.
Prentice, Mr. W. D. R.
Rahim, the Hon'ble Sir Abd-ur-.
Roy, Babu Jogendra Nath.
Roy, Mr. Bijoyprosad Singh.
Roy, Mr. C. N.
Roy, Mr. J. N.
Roy, Raja Manilell Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Babu Jogesh Chandra.
Stark, Mr. H. A.
Stephenson, the Hon'ble Mr. N. L.
Suhrawardy, Dr. Hassan.
Villiers, Mr. F. E. E.

The Ayes being 26 and the Noes 53, the motion was lost.

The following motion of Mr. J. T. Donovan was then put:—

"This Council recommends to the Government that the province of Bengal should participate in the British Empire Exhibition of 1924, and that, with a view to this participation, steps be taken to organize a preliminary Exhibition in Calcutta in the cold weather of 1923."

A division was taken with the following result:—

AYES.

Ahmed, Khan Bahadur Maulvi Emaduddin.
Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ahmed, Maulvi Yakuinuddin.
Ali, Mr. Syed Nasim.
Azam, Khan Bahadur Khwaja Mohamed.
Banerjea, the Hon'ble Sir Surendra Nath.
Banerjee, Rai Bahadur Abinash Chandra.
Barma, Rai Sahib Panchanan.
Birley, Mr L.
Bose, Mr. S. M.
Carey, Mr. W. L.
Chaudhuri, Sir Asutosh.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Khan Bahadur Maulvi Ramatjan.
Chowdhury, Maulvi Fazlal Karim.
Cohen, Mr. D. J.
Crawford, Mr. T. C.
Currie, Mr. W. C.
Das, Mr. S. R.
Dearc, Major-General S. H.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Donovan, Mr. J. T.
Faroqui, Mr. K. C. M.
Forrester, Mr. J. Campbell.
Coode, Mr. S. W.
Hornell, Mr. W. W.
Huntingford, Mr. C. T.
James, Mr. R. H. L. Langford.
Khan, Babu Debendra Lal.
Khan, Maulvi Md. Rafique Uddin.
Khan, Mr. Razaur Rahman.
Khan Chaudhuri, Khan Bahadur Maulvi Muhammad Ershad Ali.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble the.
Marr, Mr. A.
McAlpin, Mr. M. C.
Mitter, the Hon'ble Mr. P. C.
Morgan, Mr. C.
Pahlowan, Maulvi Md. Abdul Jubbar.
Parrott, Mr. P.
Prentice, Mr. W. D. R.
Rahim, the Hon'ble Sir Abd-ur-
Ray, Babu Surendra Nath.
Rishi, Babu Rashik Chandra.
Roy, Babu Jogendra Nath.
Roy, Mr. C. N.
Roy, Mr. J. N.
Roy, Raja Manilall Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Babu Jogesh Chandra.
Stark, Mr. H. A.
Stephenson, the Hon'ble Mr. H. L.
Suhrawardy, Dr. Hassan.
Villiers, Mr. F. E. E.

NOES.

Ahmed, Maulvi Rafi Uddin.
Ahmed, Munshi Jafar.
Aley, Mr. S. Mahboob.
Basu, Babu Jatindra Nath.
Bhattacharji, Babu Hem Chandra.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Rai Harendranath.
Das, Babu Shishmadev.
Das Gupta, Rai Bahadur Nibaran Chandra.
De, Rai Bahadur Fanindralal.
Dutta, Babu Indu Bhushan.
Ghose, Mr. D. C.
Haq, Shah Syed Emdadul.
Huq, Maulvi Ekramul.
Mallik, Babu Surendra Nath.
Mitra, Rai Bahadur Mahendra Chandra.
Moitra, Dr. Jatindra Nath.
Mukharji, Babu Satish Chandra.
Mukherjee, Babu Nitya Dhone.
Mukherji, Professor S. C.
Mullick, Babu Nirode Behary.
Nasker, Babu Hem Chandra.
Ray, Kumar Shib Shekhareswar.
Roy, Babu Nalini Nath.
Roy, Maharaja Bahadur Kshaunish Chandra.
Roy, Mr. Bijoyprosad Singh.
Sarkar, Babu Rishindra Nath.
Suhrawardy, Mr. Huseyn Shaheed.

The Ayes being 55 and the Noes 28, the motion was carried.

Supplementary Demand for Grant.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: I move that a sum of Rs. 1,00,000 be granted for expenditure on loans under Land Improvement and Agriculturists' Loans Acts.

The printed memorandum gives the reason for which I want this extra lakh for agricultural loans for the floods in the Rajshahi division, and I hope that the amount will be granted.

The motion was put and agreed to.

The Council was then adjourned for 15 minutes.

After the adjournment.

Amendment of the Standing Orders.

Mr. DEPUTY-PRESIDENT: I beg to present the Report of the Select Committee appointed to consider the amendment of the Standing Orders and to move that the said report be taken into consideration.

I think only a few words from me are necessary to justify me in asking the Council to accept my motion. It should not be in the power of a member to waste both the time and labour of this Council and of Government, and incidentally to cause the public revenues a heavy loss by the indiscriminate use of a power which is at present contained in our Standing Orders. I am informed that in the present session one member is responsible for notice of no less than 333 questions and 50 resolutions. Further comment from me is needless. I hope, therefore, that the Council will allow the report of the Committee to be taken into consideration and will adopt the suggestions *in toto*.

Mr. F. E. E. VILLIERS: I accept, Sir, this permission of yours to speak on this resolution with no little diffidence inasmuch as it is the first time that I rise to address the House since I had the honour of being returned as a member of this Council. I do so, however, as one who has lately been a member of that great public over whose interests this Council is keeping watch and ward. I do so moreover as one who has always been very jealous of the honour of Bengal as being the premier province and as holding the premier position in the eyes of the rest of India and as possessing a Council to which all the other Councils in India look for their guidance and example; I myself, moreover, have always regarded this Council with that measure of awe which is, I think, due to an assembly of those fathers of the people who have in their charge the well-being of the province. But coming here, what do I find? I find the most amazing state of affairs conceivable in any part of the world—or in any part of the legislative world at all events. I find that it is within the power of one single individual so to harass and block the legitimate function of the Council as entirely to block the progressive business of the House and the business of the province in whose interest the House sits. We are told—we have lately been told —that no less than 50 resolutions and 333 questions have been tabled and given notice of by one member alone; as soon as I heard this, it

seemed to me not uninteresting to indulge in a simple form of mathematics, which I find works out in the following way. If every member of the Council were to abuse the privilege of asking questions to the extent to which this one member appears to have abused it, we should be faced with the following extraordinary state of affairs, namely, that in one session alone there would be asked some 57,387 questions and there would be tabled some 6,950 resolutions. I then ventured a step further and I worked out a small and equally simple mathematical sum to discover how much of the Council's time would be taken up, should every member deal with questions and resolutions in this no-less-than amazing manner. I find that if every member were to table his 50 resolutions, on the basis of 50 resolutions taking 15 days to dispose of, we should have to sit in each session for 2,085 days or in other words 5¾ years. It is a state of affairs which is obviously impossible. Then, again, apart from the question of time, there is the question of expenditure. I am told that a sum, well above Rs. 2,000 of the province's money, has been spent in printing and circulating to the members these 333 questions and 50 resolutions, and that this is but a bagatelle, a flea-bite, to what has been spent in man-power by wasting the time of Government servants in finding out the answers to questions the replies to which the very questioner himself has not taken the trouble to attend to.

Well, gentlemen——

Mr. PRESIDENT: The hon'ble member must address the chair.

Mr. F. E. E. VILLIERS: Well Sir, the proposition that I understand has now been put forward is that the number of questions should be limited; I would point out to the House that it involves absolutely no new principle at all. Indeed, Sir, the Mother of Parliaments, sitting in Westminster has found it necessary to limit the number of questions permissible to any single member to ten, and it has done so for many, many years past. I cannot think that those who have the welfare and the progress of Bengal at heart, those who would give the lie direct—as direct as can be given—to those reactionaries who would see India back as it were under the ægis of the old John Company and its rule, will tolerate the continuance of such an impossible state of affairs. I hope the House will realize it and will, to a man, support this most important amendment. Bengal, as I have already said, is the premier province of India, and is fortunate enough to possess a Legislative Council which is taken as an example of the way in which other Legislative Councils should conduct their affairs, and I feel sure that we must all be very jealous of this position; and it is for us to see that the high position which it holds and the high estimation with which it is regarded by the rest of India is not lost to it by such intolerable abuses of this great privilege of asking questions.

Babu SURENDRA NATH MALLIK: Mr. Villiers is a very kind friend of mine, and I therefore agree with him (Laughter). He is a Cambridge man (A voice: Oxford man). Yes, an Oxford man, so much the better and a flight captain. He soars high in the air and naturally his imagination soars high. He has multiplied the number of questions and resolutions with the number of members and has given us the figures 57,387 questions and 6,950 resolutions, etc. I think in actual practice that is not a danger which is likely to happen. All the same, I agree with him that there should be a limit.

The question that the Report of the Select Committee appointed to consider the amendment of the Standing Orders be taken into consideration was then put and agreed to.

Amendment of the Standing Order 6(1) [Section 19(1)].

Professor S. C. MUKHERJI: I move that at the end of Standing Order 6(*1*) [Section 19(*1*)] the following shall be added, viz.:—

> "except in the case of any resolution on which a member has indicated his first priority and which remains undisposed of at the end of a session. Such resolution shall, if the member who has given notice of it intimates in writing before the holding of the ballot for the next session his desire to proceed with it, be carried over to the next session and shall, together with any amendments thereto of which notice has been given, be set down for discussion for such day or days as are available for non-official business in the order in which it stands and shall be given precedence to the resolutions to be balloted for for that session. The order of priority as settled by the ballot is final."

On a former occasion when I had the opportunity of bringing up this matter before the House I set forth the arguments in favour of the insertion of this proviso. It deals with first priority resolutions. According to the system now in vogue the undisposed of first priority resolutions of one session do not have any precedence over other resolutions in the next session. They are put into the melting pot and they are balloted for again with the result that some of these first priority resolutions never come up before the House for discussion or consideration. In the light of the experience of the last two years we have found that on an average 18 first priority resolutions remained undisposed of, and in the next session these resolutions were again balloted for, with the result that some of these have not come up for consideration even up to date. If the amendment of Standing Order 6(*1*) [Section 19(*1*)] which I propose is accepted, it will give a fair chance to all first priority resolutions. No one will have any complaint

on this score. The only objection that has been brought forward against it is that if the undisposed-of first priority resolutions are given precedence, then important questions—questions of great public importance—may not have any chance of being brought forward before the House. According to Babu Indu Bhushan Dutta's own admission in the note of dissent which he has submitted, the number of such undisposed-of priority resolutions is not very large. If that be so, then it is all the greater reason why we should give them the first choice so that they may be disposed of.

As regards questions of great public importance we have a safeguard. If there is any question which is greatly agitating the public mind and which demands immediate consideration; under the present rules all the business of the House can be suspended for the purpose, and the matter can be fully discussed for two hours in this House. If I mistake not, Government pays ten times more attention to a question which demands the adjournment of the House and which means the suspension of all the business of the House, than to any resolutions that may have been placed on the agenda paper.

The suggestion made by Kumar Shib Shekhareswar Ray——

Mr. PRESIDENT: You need not go into the question of the amendment now, Professor Mukherji.

Professor S. C. MUKHERJI: I intended only to meet the objections of others in the course of my speech.

Kumar SHIB SHEKHARESWAR RAY: Order, Order.

Mr. PRESIDENT: Kumar Sahib, it is my business to keep order. I have said that Professor Mukherji need not go into the question of the amendment.

Mr. D. C. GHOSE: Is Kumar Shib Shekhareswar Ray in order in shouting out "Order, Order"?

Mr. PRESIDENT: I have already said that it is my business to keep order, and not that of any one else.

Kumar SHIB SHEKHARESWAR RAY: I have only followed the practice in Parliament under which a member may call another member to order.

Mr. PRESIDENT: No, Kumar Sahib. You can rise to a point of order, but you cannot sit still and shout "order, order," and expect the President to hear you. You should rise to a point of order and explain your point to the chair.

Professor S. C. MUKHERJI: I bow to your ruling, Sir, and refrain from discussing the amendment.

The only other observation that I have to make is about the last sentence—"The order of priority as settled by the ballot is final." This gives finality to the agenda paper and the members of the House will know where they are. At present the agenda paper can be modified at any stage, but if this is accepted; the members of the House will know that there is finality in the matter of the agenda. They know where their resolutions stand; otherwise the resolutions are on the agenda paper, members get ready, but the agenda paper is modified or changed and sometimes their resolutions never come up for discussion before the House.

With these few remarks I beg to move that what I have just now read be added at the end of Standing Order 6(*1*) [Section 19(*1*)].

Kumar SHIB SHEKHARESWAR RAY moved that, in the proposed amendment of Standing Order 6(*1*),—

(*i*) for the words "such day or" in line 7, the words "one day to be fixed for that purpose out of the" be substituted;

(*ii*) after the word "and" in line 8, the words "on that particular day" be inserted; and

(*iii*) in the last line the sentence "The order of priority as settled by the ballot is final," be omitted.

I am one of those unfortunate members of the Council who did not get any chance to move a resolution in the past year, and I confess that I have myself felt the great chagrin and disappointment which, I am afraid, most of us have also felt when our favourite resolutions do not come up for discussion, session after session. I have, therefore, Sir, nothing but praise and admiration for my esteemed colleague, Professor Mukherji, for his readiness to bring relief to us. I appreciate his motive, but I regret to differ from his method. For his remedy is worse than the malady. To guard against the feeling of despondency of individual members of the Council, by his proposal he wants to transfer the whole Council into a listless lifeless body.

It will be found that very many resolutions, even of the first priority order, refer to matters of minute details of administration. But I doubt very much if any one here seriously believes in Government by resolutions. Rather our main function is, as in all legislative bodies, to direct the general policy of the Government in matter of widespread public importance, and to serve, whenever necessary, as checks on the excesses of the executive by keeping a close watch on its activities. If we examine the reports of our proceedings, we would find that this we have generally accomplished in spite of the inherent defects of the present system. But once when the proposed changes come into force, even the existing useful character of the Council will be lost, for, then

we shall not be able to take up matters of immediate and intense public concern, but would have to confine ourselves to the discussion of stale matters often of very little interest to the public. The Chandpur Gurkha outrage, the Rajshahi jail outbreak, the treatment of political prisoners, the Machuabazar and Entally riots, the North Bengal floods, and other similar resolutions of urgent vital importance could not have come up, if the suggested amendment had then been in vogue. Sir, I think I should make my point clear. During the year 1922, there had been four sessions of the Council, and we got about twenty days for discussing our non-official business, and we were able to discuss about 80 substantive resolutions. Now, Sir, on an average about 35 resolutions secure first priority at each session of the Council. But when once this amendment is passed by the House, most of the members, fearing that they might not have a chance of moving a resolution in the whole course of the year unless they secure a first priority at once, would send in, even at the first available opportunity, notices of resolutions on whatever subject that might be uppermost in their minds at the time, and we should not be surprised if at the next session we find over 75 resolutions with first priority. This will mean that even at the end of the year we would be discussing resolutions notified at the first session. Sir, I ask the House in all seriousness whether it would be proper to give precedence to these resolutions of sorts over other urgent and grave questions of the moment which might have cropped up in the meantime.

I know that it has been suggested that for such urgent matters, adjournment of the House could be moved. Well, there have been several occasions to move or to attempt to move such adjournments and their advantage and disadvantages are too well known to the House to need special mention; and we must not also forget that even an adjournment cannot be moved if there be a previous notice of a resolution on the subject, how low so ever in the list of business might be its position. Considering all these circumstances, is the House satisfied with this expediency? Surely not. In the circumstances, can we support an amendment which will take away all life and activity of the Council as a body?

I am quite aware of the defects of the present procedure. It has caused many a disappointment and heart-burning to individual members, but this must be admitted to its credit that it has never stood in the way of our discussing motions of really wide public importance. It has always been found that on such topics, several members send in notices of resolutions, all claiming first priority and one of them invariably secures a favourable position in the ballot thus bringing up the subject for the discussion of all. Sir, in our work in the Council, we must look to the interest of the public and not to our individual predilections. Whatever defects there might be in the present system, it

has never prevented the Council as a body from serving our motherland in her hour of need; should we now change it in a way to put a premium on our individual vanity at the cost of our motherland? If any of us be interested in a particular matter, is it not far better for him to try to convince and prevail upon some of his colleagues here to take that up as well, instead of attaching too great an importance to his own personal self and claiming all credit as the mover of a particular resolution?

Perhaps it would be far better to leave the Standing Order as it is and request the President to change the rules of deciding the priority of resolutions. Instead of leaving the decision of priority to the chance of a lottery, the Secretary, when forwarding the complete list of resolutions to the members, might ask them to specify the order in which they want to have them discussed and the final order of business might be settled on the result of the scrutiny of their specifications. This, to my mind, is a much simpler and more business-like method of determining the priority of resolutions. If, however, the House decides to make a change in the Standing Order on the lines suggested by Professor Mukherji, I would, as a last resort, request the House not to pass his proposal *in toto* and thus commit itself to a suicidal policy of shutting out all motions of current public importance. I would rather request the House to set apart only one day in each session for the discussion of old and stale matters, the favourites of self-sufficient members. Clauses (*i*) and (*ii*) of my amendment cover this suggestion of mine. Clause (*iii*) refers to a quite distinct matter, I want to move that separately. I want to omit these words, because they unnecessarily encroach upon a privilege of the House to refuse or grant which lies in the hands of the President alone. So it is not likely that this privilege would ever be abused and we should not take away that privilege from the House or that prerogative from the President.

With these words I would like to move amendments (*i*) and (*ii*) first, and then (*iii*).

Mr. PRESIDENT: You had better move all three, Kumar Sahib. I will put (*i*) and (*ii*) first, and then (*iii*) separately.

Kumar SHIB SHEKHARESWAR RAY: Very well, Sir. I also move that.

Babu INDU BHUSHAN DUTTA: I beg to oppose the amendment suggested by Professor S. C. Mukherji. I opposed it in the Select Committee, and I have this confidence in the House that their judgment will reverse the judgment of the Select Committee in this important matter. I have said all I had to say in my note of dissent, so I will just briefly touch a few points.

Like my friend, Kumar Shib Shekhareswar Ray, I am also one of the unfortunate members, who have had one resolution running on for

more than three sessions and have not yet had an opportunity of moving it. But all the same, I think, Sir, that by accepting the amendment of Professor S. C. Mukherji, you will be taking away one of the most important privileges of this Council, and I pointed this out in my note of dissent. As already mentioned by the Kumar, it would have been absolutely impossible to discuss important resolutions like the Chandpur affair, the Rajshahi Jail affair, etc., if this amendment of Professor Mukherji had been in vogue during the past sessions of this Council. It is well known, Sir, that the proposal for an adjournment of the House, to which Professor Mukherji has given such importance, is a privilege which we do not enjoy so easily as many members seem to think. First of all, there is the permission of you, Sir, to be taken, and then there is the permission of His Excellency the Governor to be obtained, and we have found from practical experience that it is not very easy to get an adjournment of the House even on a very important matter. As I have pointed out in my note of dissent even in an adjournment of the House, we get an opportunity to hear only a few members, because an adjournment debate is usually talked out in two hours. Therefore, I would request the members of this House to remember that as during the last two years, we have not failed to bring up matters of public importance in spite of the old rule, I do not think it is at all necessary to change that rule.

Then, as regards the question of the finality of the ballot, as a matter of fact the ballot is final, but when we find that a very important resolution has not had a chance of getting a good place in the ballot, if the members who took precedence in the ballot agreed to waive their precedence in favour of more important resolutions, and if you, Sir, and the Hon'ble the Member or Minister in charge had no objection, then, why introduce this rule to take away this important privilege from this Council? Take, for example, the case of the Imperial Police. Babu Surendra Nath Mallik had a resolution; in the ballot that resolution was placed very low down and the members waived their right and the Hon'ble the Member in charge, Sir Henry Wheeler, agreed, the resolution was taken up earlier and discussed, the effect was good, and this Council had an opportunity of giving its views in the matter. If the finality of the ballot were regarded like the laws of the Medes and the Persians, absolutely unalterable, then this important resolution would have hardly had any chance of being discussed at all.

There is also another privilege, that of extending the time of non-official business. We find that on days which have been fixed for official business, even if there is time, no non-official business is taken up. If this privilege is extended, that is, if there is time on days fixed for official business, non-official business is allowed to be taken up, I am sure that almost all the first priority resolutions will be moved in the first session for which they are balloted. There will be no danger

of any first priority resolution lapsing for want of time. Therefore, I think, there is absolutely no necessity for accepting the amendment of Professor S. C. Mukherji.

SECRETARY to GOVERNMENT, FINANCE DEPARTMENT (Mr. A. Marr): I am afraid that neither Kumar Shib Shekhareswar Ray nor Babu Indu Bhushan Dutta has been able to convince me that his view of this proposed amendment is correct. I am sure the amendment as proposed by Professor S. C. Mukherji will commend itself to the general feeling of this Council. There is a feeling that in the present circumstances, a departure like this from the ordinary procedure would only be fair to the average private member. We have already had two instances quoted in this House of a private member going from session to session and not getting a chance of moving a resolution on a most important matter. I confess I cannot understand the Kumar's difficulty as regards important resolutions such as he mentioned not being able to be reached under the new procedure. It appears to me that there is much more chance of these important resolutions being reached and I think that the carry-over proposed by Professor S. C. Mukherji should be accepted by this Council.

In his original motion Professor S. C. Mukherji put the onus of making the carry-over on the Legislative Department; this has been changed since and I think rightly. The onus should be on the member to intimate his desire of his resolution being carried on to the next Council. This will certainly save the Legislative Department a good deal of work and will certainly cut down the printing bill under this head which is much higher than the members of this Council realize. I shall be able to give some figures later on.

By his first two amendments the Kumar proposes to allot one day for the first priority resolutions in a single session; at first sight this looks rather harmless, but on closer inspection I think you will find that this would go against the main principle at the bottom of Professor Mukherji's motion, that is, that the change he proposes will make it possible for any member in this Council to bring up at least one of his proposals for discussion within two sessions of the Council. Supposing 15 priority resolutions are carried over, left over from the previous session; under the Kumar's suggestion all these 15 resolutions would have to be discussed on one day. We all know that that is impossible. Therefore, under his suggestion, it would mean perhaps discussing 7 or 8 of the 15 priority resolutions, and the remainder would not come up for discussion at all. I think Professor Mukherji will agree that this is against his basic principle.

As regards the Kumar's third amendment to omit the sentence, "the order of priority as settled by the ballot is final," I think it most dangerous to do this. These words have been inserted in the interests

of ordinary procedure and for the protection of minorities and I think I am right in saying that in all Parliamentary bodies the order of the ballot is final. This is of special importance from the point of view of minorities. Let us assume that this House is divided into two main parties, one of which is very considerably in the majority. If the order of priority as settled by the ballot can be interfered with, what is going to happen to all the resolutions put by the minority? Every one will be squeezed out, because the majority will move that a certain one of their resolutions be brought forward. If the President accepts that, it is bound to be carried, and if this procedure is repeated and all the days of the session are filled up, no resolutions of the minority can come up at all. Therefore I would strongly urge that this sentence be retained. It is correct that the procedure of the ballot at present is in your hands, Sir, but still I think it will strengthen your hands if this sentence be retained. Therefore, I would urge strongly that the amendment proposed by Professor Mukherji be accepted by the House.

Motions (*i*) and (*ii*) of Kumar Shib Shekhareswar Ray were then put and a division taken with the following result:—

AYES.

Barma, Rai Sahib Panchanan.
Chaudhuri, Babu Kishori Mohan.
Dutta, Babu Indu Bhushan.
Mitra, Rai Bahadur Mahendra Chandra.
Moitra, Dr. Jatindra Nath.
Mukherji, Babu Satish Chandra.
Ray, Kumar Shib Shekhareswar.
Sarkar, Babu Rishindra Nath.

NOES.

Afzal, Nawabzada K. M., Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Emaduddin.
Ahmed, Khan Bahadur Maulvi Wasimuddin.
Banerjea, the Hon'ble Sir Surendra Nath.
Birley, Mr L.
Bose, Mr. S. M.
Carey, Mr. W. L.
Das, Mr. S. R.
De, Rai Bahadur Fanindralal.
Deare, Major-General S. H.
Dey, Mr C. C.
Donald, the Hon'ble Mr. J.
Donovan, Mr. J. T.
Forrester, Mr. J. Campbell.
Goode, Mr. S. W.
Hornell, Mr. W. W.
Huntingford, Mr. C. T.
Khan, Maulvi Hamid-ud-din.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble the.
Mallik, Babu Surendra Nath.
Marr, Mr. A.
McAlpin, Mr. M. C.
Mitter, the Hon'ble Mr. P. C.
Mukherji, Professor S. C.
Pahlewan, Maulvi Md. Abdul Jubbar.
Prentice, Mr. W. S. R.
Rahim, the Hon'ble Sir Abd-ur-.
Rauf, Maulvi Shah Abdur.
Ray, Babu Surendra Nath.
Roy, Mr. C. N.
Roy, Mr. J. N.
Skinner, Mr. H. E.
Stark, Mr. H. A.
Stephenson, the Hon'ble Mr. H. L.
Suhrawardy, Dr. A.
Villiers, Mr. F. E. E.

The Ayes being 8 and the Noes 37, the motions were lost.

Motion (*iii*) of Kumar Shib Shekhareswar Ray was then put and lost.

The original motion of Professor S. C. Mukherji was then put and a division taken with the following result:—

AYES.

Afzal, Nawabzada K. M., Khan Bahadur.
Ahmed, Khan Bahadur Maulvi Wasimuddin
Ahmed, Maulvi Rafi Uddin.
Bose, Mr. S. M.
Das, Mr. S. R.
De, Rai Bahadur Fanindralal.
Deare, Major-General S. H.
Donovan, Mr. J. T.
Forrester, Mr. J. Campbell.
Goode, Mr. S. W.
Hornell, Mr. W. W.
Lang, Mr. J.
Marr, Mr. A.
McAlpin, Mr. M. C.
Mukherji, Professor S. C.
Prentice, Mr. W. D. R.
Ray, Babu Surendra Nath.
Roy, Maharaja Bahadur Kshaunish Chandra.
Roy, Mr. C. N.
Roy, Mr. J. N.
Stark, Mr. N. A.
Villiers, Mr. F. E. E.

NOES.

Ahmed, Khan Bahadur Maulvi Emaduddin.
Aley, Mr. S. Mahboob.
Barma, Rai Sahib Panchanan.
Chaudhuri, Babu Kishori Mohan.
Dutta, Babu Indu Bhushan.
Khan, Maulvi Hamid-ud-din.
Mallik, Babu Surendra Nath.
Mitra, Rai Bahadur Mahendra Chandra.
Moitra, Dr. Jatindra Nath.
Pahlowan, Maulvi Md. Abdul Jubbar.
Rauf, Maulvi Shah Abdur.
Ray, Kumar Shib Shekhareswar.
Roy, Raja Manilal Singh.
Suhrawardy, Mr. Huseyn Shaheed.

The Ayes being 22 and the Noes 14, the motion was carried.

Amendment of Standing Order 7(2) [Section 20(2)].

Mr. PRESIDENT: The next motion is purely consequential. I do not think you will make a speech on it, Professor Mukherji.

Professor S. C. MUKHERJI: No, Sir, I will only move it.

I move that after the words "from time to time" in Standing Order 7(*2*) [Section 20(*2*)], the following shall be added, *viz.*—

"except as provided in sub-section (*1*) of Standing Order 6."

The motion was put and agreed to.

Proposed amendment of Standing Order 24(2) [Section 84].

Mr. PRESIDENT: Shah Sahib, you can only ask for leave to withdraw this motion, and no speech will be required.

SHAH SYED EMDADUL HAQ then asked for leave to withdraw the following motion, namely:—

"In sub-clause (*2*) of Standing Order 24, for the word 'fifteen' the word 'ten' shall be substituted."

Leave being given, the motion was withdrawn.

Amendment of Standing Order 12 [Section 24].

Professor S. C. MUKHERJI: I move that at the end of Standing Order 12 [Section 24], the following shall be added, viz.—

> "provided also that no member shall, unless he has obtained the special permission of the President, be permitted to send in notice of more than twelve questions during one session of the Council, exclusive of any questions that may have been postponed for reply from a previous session."

I do not wish to make any speech on this because already the Deputy-President and one of the members have spoken regarding this question. It is far from my mind to propose anything which will mean curtailing the privilege of any member of this House. My only object in proposing this is simply that that privilege is not abused. We have already heard that in this very session over 500 questions have been asked and out of this total number, one member alone has sent in notice of 333 questions. If questions are asked at this rate and if this is to be the way in which we are going to exercise our privilege or prerogative, the result will be that the Government will have only one thing to do, and that is to answer questions only. The object is to ask important questions, to elicit information on public questions—questions that are agitating the minds of the people and questions which will contribute towards the development of the country as a whole. If we simply look at the questions that have been asked I think I can say without any fear of contradiction that some of them are most unimportant, insignificant, and trivial. Any question of any kind that may have occurred to a member has been asked in this Council and the Government has been obliged—has been driven to answer that such questions will not serve any useful purpose. We are talking of retrenchment. My esteemed friend, Mr. Mallik, is our great champion—our advocate in the matter of retrenchment. Take alone the question of expenditure over these questions. We are recklessly wasting the money of the poor taxpayer, I feel we are not doing our duty in this matter. The proposition I have moved will give every member an opportunity of sending in 12 questions and even under this, all important questions can be asked if members will kindly exercise some discretion in the matter.

SHAH SYED EMDADUL HAQ moved that in the proposed amendment of Standing Order 12 [Section 24].

(*i*) for the words "no member" the words "not more than twelve valid questions of any one member" be substituted;

(*ii*) for the words "send in notice of more than twelve questions" the words "be taken up" be substituted; and

(*iii*) the following be added at the end, namely,—

"Provided that he will be permitted to send in any number of questions, but after any twelve of them are accepted as valid, no notice need be taken of his remaining questions."

He spoke in Bengali. The translation of his speech is as follows:—

It is past seven o'clock. If I am to move my motion, I cannot help doing so without saying a few words. We have come to work here, so if we send in notices of a large number of questions, no blame can be assigned to us. We do so because we feel bound to do so. I do not think, Sir, it will be fair and reasonable to deprive us of the privilege hitherto granted to, and enjoyed by, us.

It is stated in Professor Mukherji's amendment that no member shall be permitted to send in notice of more than 12 questions during one session of the Council. My proposal is that we should be allowed to send in notices of more than 12 questions of which 12 in all should be admitted, and no action need be taken of the remaining questions if altogether 12 of the whole lot are allowed. It is no wonder that men like me, a simple villager, might not grasp the real significance of the question and resolution rules, and exceed the restrictions imposed thereunder. There are men, men of keen acumen and sound learning, barristers and pleaders, who adorn this House, and who may also go astray from these question rules. The other day a question regarding Babu Jababandhu Ghose was disallowed by the Legislative Department on the ground that it relates to a matter which is not within the primary concern of the local Government. I come to know, Sir, that the matter has since been within the competence of the local Government. Be that as it may, it is not impossible that some questions may be disallowed amongst the 12 questions only now proposed to be sent in to the Legislative Department. On some such grounds I would, therefore, urge, as an alternative proposal, that if the first 12 questions are admitted, the rest may be disallowed.

I hope the members would very carefully consider my proposal, and when our hands are being tied in this respect, I would ask you, with all the earnestness I can command, to maintain the dignity of the Bengal Legislative Council by accepting my amendment.

Mr. PRESIDENT: I cannot permit you to make two or three speeches on the different parts of your amendment. One speech will suffice. Have you referred to all different parts of your amendment in your speech?

The Shah Sahib intimated that he had done so.

Mr. A. MARR: I rise to support very strongly the amendment of Professor Mukherji. I am quite sure it will commend itself to every

one in this House. I doubt if members of this Council realize what a burden is put upon Government officers and what time is wasted in answering the large number of questions sent in every session. As Professor Mukherji has pointed out, many of these questions are of trivial character and a large number of them could easily have been answered if the questioner had consulted the ordinary books of reference. Members may be under the impression that, if they are limited to 12 questions in a session, their present privileges will be seriously curtailed. I should just like to trouble the Council with some figures to show that this is not the case. The total number of notices of questions up to date since the Reform Council began is 3,242. If 12 had been the maximum number, as proposed by Professor Mukherji, from the very beginning, the number of questions that would have been disallowed as in excess would have been 636, of which 541 would have been contributed by five members only. Of these five members, one member—I need not mention names—would have been responsible for 408 questions out of the 541 in excess. Twenty-one members altogether would have come under the effect of this rule, but in the case of no member, except the five whom I have mentioned, would disallowance have been extended in regard to more than nine questions in all. Therefore, I venture to think that this is not a serious curtailment of the privileges enjoyed by members.

I might also mention that owing to the printing of this one member's excess questions we have had to incur Rs. 3,910 as printing charges and also Rs. 724 for his resolutions. In moving his amendment I believe the Shah Sahib is under a misapprehension. I think that, if he carefully goes through his own amendments, he will find that, if they are carried, they will have altogether a different effect. If they are carried, what would happen? The Shah Sahib would put in 200 questions. The Legislative Department would carefully go through these 200 questions and pick out 12 of the least important and most harmless among them and send them to the departments and the rest would go by the board. That certainly is not his desire.

Before I sit down I should like to mention that the Retrenchment Committee has made a suggestion regarding the manner in which questions are to be dealt with. . . . .

Mr. PRESIDENT: Order! order! Any discussion as to the merits of the particular proposals contained in the Report of the Retrenchment Committee, in so far as they involve interference with the President's authority to decide on the admissibility or otherwise of questions, is altogether out of order and the Council have no power to consider it. The attention of members is drawn particularly to rule 15 (*1*) which states that—

> "The President shall decide all points of order which may arise, and his decision shall be final."

The admissibility of a question is essentially a point of order. Any suggestion, therefore, which takes away or interferes with those powers is *ultra vires* of this rule. When I add that the rules of the Bengal Legislative Council are not, under section 129 A of the Government of India Act, subject to repeal or alteration by the local Legislature, I trust that members will understand that any discussion in regard to the matter is inadmissible.

Babu SURENDRA NATH MALLIK: May I ask a question, Sir?

Mr. PRESIDENT: Order! order! There can be no questioning of my ruling. I think my meaning is perfectly clear.

Babu SURENDRA NATH MALLIK: I am not questioning your ruling, Sir, but I wanted to know whether a question which is subdivided into clauses—say (*a* to *f*)—will be considered one question or so many different questions.

Mr. PRESIDENT: A question can be so divided if the member is sufficiently ingenuous.

Babu INDU BHUSHAN DUTTA: I would like to say one word about this. Before the members vote on this resolution I should like to point out to this Council that it is a great pity that simply because one particular member has abused his power, we are going to withdraw one of the most valued privileges of this Council. By the manner of answers, that was given to-day in answer to questions put by this particular member, it is apparent that both the Legislative Department and the Government know how to treat his trivial questions. In view of this fact, I think it would be really a great pity, if we have to lose this very valued privilege. I hope the members will kindly consider this point. I think nobody has dared to say that any of the 139 members of this Council, except this particular member, has abused his powers. Simply because of the fact that one particular member has abused the powers, it is no reason why all the other members should be deprived of this privilege.

Parts (*i*) and (*ii*) of Shah Syed Emdadul Haq's amendment were then put and lost.

Part (*iii*) of Shah Syed Emdadul Haq's amendment was then put and lost.

The original motion of Professor S. C. Mukherji was then put and agreed to.

Amendment of Standing Order 63 [Section 70].

Professor S. C. MUKHERJI: I move that after Standing Order 63 [Section 70], the following shall be added, viz.—

"provided also that no member shall, unless he has obtained the special permission of the President, be permitted to send in notice of more than three resolutions during one session of the Council, exclusive of any resolution carried over under the provisions of Standing Orded 6."

As the underlying principles are the same, Sir, I do not make any further speech. I simply move it.

SHAH SYED EMDADUL HAQ moved that in the proposed amendment of Standing Order 63 [Section 70].

(*i*) for the words "no member" the words "not more than three valid resolutions of any one member" be substituted;

(*ii*) for the words "send in notice of more than three resolutions" the words "be taken up" be substituted; and

(*iii*) at the end of the proviso the following be added, namely,—

"Provided also that he will be permitted to send in any number of resolutions, but after any three of these are accepted as valid, no notice need be taken of his remaining resolutions."

He spoke in Bengali in support of his amendment. The translation of his speech is as follows:—

I would move this motion although I have seen the fate of my motion in regard to the question. The non-official business of this Council is gradually being restricted, and therefore, in every session almost the majority of the resolutions lapse, and the result is that we have to send in notices of those lapsed resolutions afresh for a future session of the Council. The number of resolutions eventually automatically increases.

Sir, no limitations are imposed either in the Council of State or the Legislative Assembly, or in any local Legislative Council. The Bengal Council have taken the lead in this direction. I realize, Sir, that a considerable amount of time and labour is necessary in dealing with questions, but so far as resolutions are concerned, I do not think that Government are overworked in any way. I do not think also that it will reflect much credit on the Bengal Legislative Council, if the privilege which we, the members, have hitherto enjoyed is not granted in future. We have seen that resolutions have been disallowed in the past—nearly the bulk of them have been disallowed—and if even the three resolutions are not allowed on grounds which may not be consistent with the Rules and Standing Orders, I fail to understand, Sir, what

on earth the members have got to come here for except to sit under the electric fans for nothing.

Parts (*i*) and (*ii*) of Shah Syed Emdadul Haq's amendment were then put and lost.

Part (*iii*) was then put and lost.

The original motion of Professor S. C. Mukherji was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 P.M. on Thursday, the 25th January, 1923, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 25th January, 1923, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 101 nominated and elected members.

Starred Questions

(to which oral answers were given).

Buildings at Hizli district.

*XII. **SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to lay on the table a statement showing—

(*i*) the names and numbers of the public buildings which have been completed at the headquarters of the proposed Hizli district;

(*ii*) the object with which each of them has been constructed;

(*iii*) the approximate cost incurred on each of them;

(*iv*) the measurement of, and the approximate cost on, the tank which has been excavated opposite the Collectorate building at the said headquarters?

(*b*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing—

(*i*) the names of the buildings which are in course of construction now;

(*ii*) the names of the buildings which will be taken up, or which it is proposed to take up during the financial year 1922-23;

(*iii*) the approximate cost of those buildings;

(*iv*) the number of roads constructed there as yet, together with the cost incurred on each; and

(*v*) the number of buildings which are (*1*) occupied and (*2*) unoccupied?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) (*i*) A list showing the buildings completed is attached.

(*ii*) and (*iii*) The information has been given in the statement above.

(*iv*) The measurements of the tank near the Collectorate are 325′ × 300′ × 7′ (average depth); the cost is Rs. 5,792.

(*b*) (*i*) There are no buildings under construction at present.

(*ii*) None.

(*iii*) The question does not arise.

(*iv*) The principal road of a length of about 11,180 r. ft. has been constructed at a cost of Rs. 38,769.

(*v*) (*1*) 5; (*2*) 40.

Statement referred to in the reply to clause (a) (i) of starred question No. XII showing the number of buildings completed at the headquarters of the proposed Hizli district.

1. Circuit House.—For the accommodation of superior officers on tour at the headquarters of the proposed district. Approximate cost Rs. 42,806. Building completed with its subsidiary buildings, viz., kitchen, servants' quarters and stable, sweepers' shed and servants' latrine.
2. Dâk Bungalow.—For the accommodation of travellers at the headquarters of the proposed district. Approximate cost Rs 35,065. Building completed with its subsidiary buildings, viz., servants' quarters, etc., stall, kitchen, sweepers' house, khansama's house and servants' latrine.
3. Collectorate.—For the Collector's kutcherry. Approximate cost Rs. 6,60,387 (including Rs. 24,566 for furniture and punkhas supplied). Building completed with its subsidiary buildings, viz., covered passage, treasury and guard house, cookshed for guards, godown, tiffin rooms for clerks, and latrine; witness shed started but not completed finally.
4. Deputy Magistrate's Residence No. I.—For the accommodation of Deputy Magistrates. Approximate cost Rs. 15,946. Buildings completed with their sub-buildings, viz., kitchen, servants' room and stable, latrine and compound wall.
5. Deputy Magistrate's residence No. II.—Approximate cost Rs. 15,910. Buildings completed with their sub-buildings, viz., kitchen, servants' room and stable, latrine and compound wall.

6. Deputy Magistrate's residence No. III.—Approximate cost Rs. 15,968. Buildings completed with their sub-buildings, viz., kitchen, servants' room and stable, latrine and compound wall.

7. Deputy Superintendent of Police's residence.—For the accommodation of the Deputy Superintendent of Police. Approximate cost Rs. 17,942. Building completed with its subsidiary buildings, viz., kitchen, servants' quarters, stable and latrine.

8. Munsif's residence No. I.—For the accommodation of Munsifs. Approximate cost Rs. 10,906. Buildings completed with their subsidiary buildings, viz., kitchen and servants' quarters, latrine and compound wall.

9. Munsif's residence No. II.—For the accommodation of Munsifs. Approximate cost Rs. 10,937. Buildings completed with their subsidiary buildings, viz., kitchen and servants' quarters, latrine and compound wall.

10. Sub-Deputy Magistrate's residence.—For the accommodation of a Sub-Deputy Magistrate. Approximate cost Rs. 11,538. Building completed with its subsidiary buildings, viz., covered passage, kitchen and servants' room, latrine and compound wall.

11. Excise Inspector's residence.—For the accommodation of an Inspector of Excise. Approximate cost Rs. 11,341. Building completed with its subsidiary buildings, viz., covered passage, kitchen and servants' room, latrine and compound wall.

12. Reserve Police lines. (*a*) European Sergeants' quarters.—For the accommodation of the European Sergeants of the Reserve Police lines. Approximate cost Rs. 9,167 (excluding out-houses). Out-houses (kitchen, servants' quarters and stable) built at a cost of Rs. 2,078, but not completed yet.

(*b*) European Inspector's quarters.—For the accommodation of the European Inspector. Approximate cost Rs. 9,322 (excluding out-houses). Out-houses (kitchen, servants' quarters and stable) built at a cost of Rs. 2,031, but not completed yet.

(*c*) Four Sub-Inspectors' quarters.—For the accommodation of the Sub-Inspector of Police. Approximate cost Rs. 22,327. Two sets of quarters with accommodation for 4 Sub-Inspectors in each completed with subsidiary buildings, viz., kitchen, servants' quarters, etc., stall, latrine and compound wall.

(*d*) Two Bachelor Sub-Inspectors' quarters.—For the accommodation of the Bachelor Sub-Inspectors of Police. Approximate cost Rs. 8,874. One set of quarters with accommodation for 2 Sub-Inspectors completed with subsidiary buildings, viz., kitchen, servants' quarters and stall and latrine.

(*e*) Eight Head Constables' quarters.—For the accommodation of the 8 Head Constables. Approximate cost Rs. 17,171. Four sets of quarters with accommodation for 2 Head Constables in each completed with subsidiary buildings, viz., kitchen, latrine and compound wall.

(*f*) Sub-Assistant Surgeon's quarters.—For the accommodation of the Sub-Assistant Surgeon, Police lines. Approximate cost Rs. 5,852. Completed with its subsidiary buildings, viz., kitchen, servants' house, latrine and compound wall.

(*g*) Reserve office and guard room.—For the office in the reserve police lines. Approximate cost Rs. 11,071.

(*h*) Cookshed attached to Constables' barrack.—For the cooking accommodation of the constables of the Reserve Police force. Approximate cost Rs. 11,942.

Grand total—Rs. 9,44,452.

Population in Bengal.

***XIII. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jurisdiction) be pleased to lay on the table a statement showing—

(*i*) the population in Bengal and their classification according to their different faiths in the years 1872, 1881, 1901, 1911 and 1921, respectively; and

(*ii*) their birth and death rates during each of these decades?

(*b*) Is it a fact that during the last fifty years there has been an increase of fifty-six lakhs of Muhammadans over the increase amongst the Hindus in Bengal?

(*c*) If not, will the Hon'ble the Member be pleased to state the actual increase in the number of Muhammadans in the province during the said period?

MEMBER in charge of DEPARTMENT of REVENUE [JURISDICTION] (the Hon'ble Sir Abd-ur-Rahim): (*a*) (*i*) A statement is placed on the table.

(*ii*) The information is not available.

(*b*) and (*c*) The member is referred to the statement laid on the table.

Statement referred to in the reply to clauses (a) (i), (b) and (c) of starred question No. XIII.

BENGAL.

——	1921.	1911.	1901.	1891	1881.	1872.
Hindu	20 809.148	20,915,379	20,152.961	18,974,574	18,067,816	17,051,533
Muslman	25,485.124	24,236,756	21,231,818	20,173.201	18,396,494	16,619,191
Christian	149,075	129,746	106,596	82,339	72,289	63,482
Animist	849.045	730,780	442.594	364,820	313,069	... ..
Buddhist	275,759	246,866	216,506	193.645	154,106	84,892
Others	32,311	16,643	10,884	16,948	10,892	244.660
Total ...	47,592,462	46,305,170	42,881,359	39,805,527	37,014,821	34, 87,003*

* The religion details of 623,245 persons (in Cooch Behar and in Dooars of Jalpaiguri) are not available.

Police search of the Pabna District Congress Committee office and houses of Congress leaders.

***XIV. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact that on the 26th July, 1922, the Pabna Police headed by the Deputy Superintendent of Police and other Police officers simultaneously searched the office of the Pabna District Congress Committee and houses of Babu Kumud Nath Sarkar, M.A., LL.B., President, District Congress Committee, Pabna, Jogesh Chandra Basu, Photographer, Congress Worker Babu Provash Chandra Lahiri and of Kaviraj Promoda Kishore Basu of Pabna town?

(*b*) Under what sections of what laws and on what materials were those warrants issued? Who signed them and on what date or dates were they signed?

(*c*) On whose information or initiative were those warrants issued? Will the Hon'ble the Member be pleased to lay on the table a copy of the report or information or correspondence, if any, which led to the issue of those warrants?

(*d*) Is it a fact that these warrants were issued to overawe the Pabna District Congress Committee and its workers in order to prevent the apprehended *hartal* in the town at the time of the ensuing visit of His Excellency the Governor to the town of Pabna?

(*e*) Is it a fact that these warrants were issued on the initiative of the Superintendent of Police and signed by the District Magistrate of Pabna?

(*f*) For what purpose were these searches undertaken?

(*g*) Is the Hon'ble the Member aware that two letters written by me to Babu Kumud Nath Sarkar have been seized by the Police from

his house, and will the Hon'ble the Member be pleased to lay on the table the contents of those letters?

(*h*) Are the Government considering the desirability of taking steps to prevent in future the recurrence of such seizures of private letters written by members of the Legislative Council?

(*i*) Is it a fact that three copies of the resolution passed at a meeting of the rate-payers of the Pabna municipality held at the Town Hall of Pabna on the 25th June, 1922, and a copy of the proceedings of which has been sent to the Private Secretary to His Excellency the Governor has been seized from the house of Babu Kumud Nath Sarkar who happens to be the Secretary of the Rate-payers' Association, Pabna?

(*j*) Is it a fact that the Pabna Rate-payers' Association is a duly constituted body recognized by the Commissioner of the Rajshahi division, District Magistrate of Pabna and the Chairman of the Pabna municipality?

(*k*) Will the Hon'ble the Member be pleased to lay on the table a copy of the resolution seized from that house?

(*l*) Will the Hon'ble the Member be pleased to state the reasons why the copies of the resolutions passed by the rate-payers at a public meeting were taken away by the Police?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) Yes, with the exception of the house of Kaviraj Promoda Kishore Basu.

(*b*), (*c*) and (*e*) The warrants were issued under section 96 of the Criminal Procedure Code and were signed by the District Magistrate on the 25th July, 1922. They were issued on the basis of confidential information furnished to the Magistrate.

(*d*) No.

(*f*) In connection with a police inquiry.

(*g*) One postcard so addressed was seized, a translation of which is laid on the table.

(*h*) No.

(*i*) Yes.

(*j*) No.

(*k*) A translation is laid on the table.

(*l*) They were considered necessary for the purpose of the inquiry by the officers conducting the search.

Translation of the postcard referred to in the reply to clause (g) of starred question No. XIV.

Sir,—Many of the questions you desired (to be put) have come back disallowed. The resolution about Shalanga has in this way been dealt with. But in another form (a question about) an inquiry committee

has been printed. There is a good deal to say and many things to talk about. I trust you will be sure to meet me at Calcutta on the 3rd July.

Translation of the resolutions referred to in the reply to clause (k) of starred question No. XIV.

1. That the rate-payers of this Pabna municipality assembled at public meeting resolve that this meeting cherishes no feelings of hatred against His Excellency Lord Lytton, the Governor of Bengal, neither does it want to show him any disrespect. But that as a protest against the conduct of the police in shooting five men to death and wounding several others at Shalanga Hât, and against the repressive policy being vigorously pursued by Government as before in spite of the resolutions adopted by the Indian National Congress Working Committee at their Bardoli meeting with the object of bringing peace, as is particularly evidenced by the imprisonment of the peaceful Mahatma Gandhi, this meeting does not hold it proper to present any address to the Governor of Bengal on the occasion of his visit to Pabna.

2. That copies of the foregoing resolution be sent to the Commissioners of Pabna municipality and that they be informed that if they present any address in defiance of the foregoing resolution it will not be accepted as incurring the views of the rate-payers other than those of the Commissioner who get up the reception.

3. That the Chairman of the Pabna municipality be requested that he should ascertain from the Advocate-General from what months the "Year" mentioned in the Municipal Election Rules commences.

4. That the Chairman of the Pabna municipality be requested that he should obtain the opinion of the Advocate-General whether the general elections from ward No. 2 which will come off on the 2nd August next are a continuation of the general elections on the 5th December, 1921, or whether they constitute a separate new election.

Culverts in the district board roads and railway lines in North Bengal.

***XV. Mr. SYED ERFAN ALI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is in the contemplation of the Government to increase the number of culverts in the district board roads and the railway lines in North Bengal where obstruction to drainage of water exists in order to eradicate malaria?

(*b*) Is it a fact that such obstruction exists in the flooded areas?

(*c*) Will the Hon'ble the Minister be pleased to state whether Government have any information as to whether any interference has

been caused to the natural drainage of water by the district board roads and the railway lines in the affected parts of the districts of Rajshahi, Bogra and Pabna?

(*d*) Will the Hon'ble the Minister be pleased to state whether the number of culverts in the railway line from Sara to Santahar was the same in the old narrow gauge line as in the present broad gauge line?

(*e*) Will the Hon'ble the Minister be pleased to state the number and size of such culverts in the Sara-Sirajganj and Sara-Santahar lines?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): (*a*), (*d*) and (*e*) The member is referred to the reply given to unstarred question No. 121 on the subject asked by Shah Syed Emdadul Haq at this meeting.

(*b*) and (*c*) Government have no information in respect of district board roads.

Calcutta University deficit and Government grant.

***XV-A. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) whether it is a fact that the Senate of the Calcutta University has refused to accept the grant of Rs. 2½ lakhs made to the University by the Government;

(*ii*) whether it is a fact that the total deficit of the University was five lakhs and forty-three thousand rupees;

(*iii*) whether it is a fact that the grant was made to enable the University to meet a portion of the deficit;

(*iv*) why did Government give a grant of Rs. 2½ lakhs to meet a deficit of five lakhs and odd;

(*v*) were there any conditions mentioned at the time of the grant in the Bengal Legislative Council;

(*vi*) if not, why were the conditions imposed afterwards;

(*vii*) on what basis and for what reasons did the Government come to the conclusion that the financial management of the University was far from satisfactory;

(*viii*) was the charge mentioned in (*vii*) above founded upon the report of the Accountant-General of Bengal;

(*ix*) if so, what portion of the report supports this charge;

(*x*) whether it is a fact that the charge of financial mismanagement against the University was made by the Government before the Senate had had an opportunity of reading the report of the Accountant-General or of meeting the criticisms which had been advanced by that officer against the University;

(*xi*) whether it is a fact that the newspapers, including the *Times*, published the Government letter and Accountant-General's letter before the Senate could meet to consider them;

(*xii*) whether it is a fact that the article headed "Bankrupt University" in the *Times* educational supplement was circulated to the newspapers of Bengal; and

(*xiii*) what action are the Government taking to deal with the present deadlock?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*i*) Yes.

(*ii*) The total deficit at the end of June, 1922, was Rs. 7,02,750, but if the Accountant-General's suggestions for utilizing some portions of the earmarked funds be accepted, the deficit would be Rs. 5,42,753. The actual liability (outstanding demand), apart from restoration of funds already diverted for purposes other than those for which such funds were originally intended, was Rs. 2,97,462 on the said date.

(*iii*) Yes.

(*iv*) Government provided only for Rs. 2½ lakhs as that sum would wipe out the bulk of the outstanding debt of Rs. 2,97,462 and also because they could not, in view of other demands for educational purposes, spare more during the present year, but they intimated to the University that, subject to certain contingencies, they would be prepared to ask the Legislative Council to vote another grant next year to place the finances of the University on a satisfactory basis.

(*v*) and (*vi*) The grant of Rs. 2,50,000 was voted by the Council on an assurance being given by the Minister in charge of Education that the financial condition of the University would be placed before Government and that the Account officers were about to make certain suggestions with regard to its finances. Shortly afterwards a report was received from the Accountant-General which revealed the fact that the financial administration of the University was in an unsatisfactory condition and made certain recommendations for its improvement. On considering this report, Government felt that they would not be justified in handing over the grant until an assurance was received from the University that the recommendations of the Accountant-General would be carried out and certain conditions laid down by Government accepted.

(*vii*) to (*ix*) The letters of the Accountant-General dated the 24th July, 1922, and the 3rd January, 1923, copies of which are placed on the Library table, will answer these questions.

(*x*) Yes, but the present and the past reports of the Accountant-General made it abundantly clear that the financial administration of the University was unsatisfactory.

(*xi*) Government have no knowledge.

(*xii*) The Publicity Officer circulated the article to certain newspapers for their information.

(*xiii*) The matter is under consideration.

Unstarred Questions

(answers to which were laid on the table).

Racial distinctions in jails.

109. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state whether he is aware that all persons except Indians are classed as Europeans in the jails of this Presidency and are accorded special treatment?

(*b*) If so, what is the law, rule or basic principle according to which they are so classed?

(*c*) Are the Government considering the desirability of abolishing these racial distinctions in jails at an early date?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. H. L. Stephenson): (*a*) and (*b*) No. The rule is that Europeans, Anglo-Indians, and every other person (whether a native of India or not) whose habits and manner of living, in the opinion of the Superintendent, more nearly approach those of the European than those of the ordinary native of India, shall be classed as European prisoners.

(*c*) No; for it is a distinction based on habits and manner of living, in particular, diet.

"Post mortem" examination of the bodies of deceased prisoners.

110. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state whether any changes have been made in the rules regarding the *post mortem* examination of the bodies of deceased prisoners in accordance with the reply given by the Hon'ble Sir Abd-ur-Rahim to unstarred question No. 243 on the 18th March, 1922?

The Hon'ble Mr. H. L. STEPHENSON: Yes. A copy of rule 102 of the Bengal Jail Code as revised is laid on the Library table.

Pasture lands in the districts of Noakhali, Tippera and Pabna.

111. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Forests) be pleased to state whether there are any arrangements for setting apart pasture lands in the districts of Noakhali, Tippera and Pabna?

(*b*) If not, are the Government considering the desirability of introducing the system in these districts?

(*c*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state what steps have been taken so far as bovine cattle are concerned?

MEMBER in charge of DEPARTMENT OF REVENUE [FORESTS] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) There is no special arrangement in the districts of Noakhali, Tippera and Pabna for reservation of pasture lands. But generally in Government estates it is the rule that at every settlement the Assistant Settlement Officer should satisfy himself that there is a sufficiency of grazing land in the village, and if not, to try and arrange for such settlement. In other areas the landlords and tenants must arrange themselves for such pasturages.

(*b*) In view of the reply to (*a*) above this requires no answer.

(*c*) No steps other than what are mentioned above have been taken for the provision of pastures specially for bovine cattle.

Transfer of certain villages to Sujanagar police-station.

112. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Police Department aware—

(*i*) that the villages of Chartarapur, Tarabaria, Sadullapur and Khalishpur are situated within the Pabna police-station;

(*ii*) that these villages are situated within one to two miles of the headquarters of the Sujanagar police-station; and

(*iii*) that the headquarters of the Pabna police-station is 10 miles distant from these villages?

(*b*) Are the Government considering the desirability of taking necessary steps at an early date to transfer these villages from the Pabna police-station to the police-station of Sujanagar?

(*c*) If not, will the Hon'ble the Member be pleased to state reasons for this?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) to (*c*) These villages are in Pabna police-station and are nearer Sujanagar than Pabna. It is not proposed to transfer them from one police-station to the other which is already unduly large. According to proposals now under consideration for splitting up unwieldy police areas, they will be included in a new police-station.

Number of schools and colleges having provisions for agricultural training.

113. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the number of elementary schools;

(*ii*) the number of secondary schools; and

(*iii*) the number of colleges

in the Presidency of Bengal in which there is provision for teaching a course of agriculture?

The Hon'ble Mr. P. C. MITTER: A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 113.

The number of institutions in which there is provision for teaching a course of agriculture is as follows:—

(*i*) Elementary schools—1.

(*ii*) Secondary schools—3.

(*iii*) Colleges—1.

Construction of the proposed chamber of the Bengal Legislative Council.

114. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state what progress has been made up till now with the scheme for the construction of the proposed Chamber for the Bengal Legislative Council?

(*b*) Has any estimate been prepared for the same?

(*c*) If so, what is that estimated amount?

(*d*) Will the Hon'ble the Minister be pleased to state when the Department will be in position to take up the actual construction work?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) A printed copy of the note giving the required information is laid on the table.

(*b*) The detailed estimate has not been prepared.

(*c*) The approximate estimated amount of the modified design is Rs. 22,06,000.

(*d*) The question of recommending the scheme, as a work to be undertaken, to the Legislative Council, has been deferred until the financial situation becomes clearer.

Note referred to in the reply to clause (a) of unstarred question No. 114 on the proposed New Council Chamber.

In December, 1920, competitive designs were invited from architects, both in India and Great Britain, to obtain the best design for the proposed new Council Chamber for the Legislative Council of Bengal. Fifty-three designs were submitted in connection with this competition and that prepared by Mr. John Greaves was considered by the Assessor best to fulfil the conditions of the competition and meet the requirements of the Legislative Council. This design was subsequently approved by Government. The approximate cost of this building, faced with Chunar stone, amounted to Rs. 38,50,000, exclusive of the provision of a second Chamber, designed to be added later, should necessity arise. If the building, however, were faced with plaster instead of stone, the estimated cost amounted to Rs. 32,00,000 only.

In July, 1922, owing to the financial position of the province, Government decided that a more modest and less pretentious design should be formulated, and the present sketch plans, prepared by Mr. Greaves to suit reduced conditions, have been accepted by Government. The estimated cost of a building in accordance with the revised design, faced externally with plaster on a Chunar stone faced plinth, amounts to Rs. 22,05,865.

This scheme, as will be seen from the accompanying plans, provides seating accommodation for 150 members in the Council Chamber in the first instance, with the possibility, by small modifications, of increasing this accommodation to seat 300 members should the Legislative Council in the future ever be increased to this extent.

Should a second Chamber with its attendant rooms, be required in later years, it could conveniently be added on the east side of the building without detracting from the general effect. In the meantime the building as designed will appear complete in itself.

G. G. DEY,

Secretary to the Government of Bengal (Offg.).

PUBLIC WORKS DEPT.,

CALCUTTA;

The 31st October, 1922.

Deterioration of health of the town of Comilla.

115. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that the public health of the town of Comilla has deteriorated?

(*b*) Have the Government any knowledge as to the causes of the deterioration?

(*c*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing the death statistics of the town of Comilla for the last five years and indicating separately the diseases to which the deaths were due?

(*d*) What steps, if any, are the Government taking for the improvement of the health of the town?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The birth and death statistics for the five years ending 1921 do not justify the statement that the health of the town of Comilla has deteriorated appreciably.

(*b*) The question does not arise.

(*c*) A statement is laid on the Library table.

(*d*) The question does not arise.

Number of municipalities and population of Bengal according to the census of 1921.

116. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the total number of municipalities in Bengal;

(*ii*) the number of villages in the Sadar and Sirajganj subdivisions of the Pabna district; and

(*iii*) the number of males and females in Bengal according to the census of 1921?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) Number of municipalities—117 excluding the Corporation of Calcutta.

(*ii*) According to the census of 1921 there are 1,094 and 1,443 mauzas in the Sadar and Sirajganj subdivisions, respectively, of the Pabna district, which were treated as villages for the purpose of the census.

(*iii*) Number of males—24,628,365; females—22,964,097.

Inspection of the courts of the Pabna district by the Hon'ble Judges of the High Court.

117. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether any Hon'ble Judge of the High Court visited Pabna during the years 1919-20, 1920-21, 1921-22?

(*b*) Will the Hon'ble the Member be pleased to state when the courts of the district of Pabna were last inspected?

(c) Will the Hon'ble the Member be pleased to state whether the post of the Inspector of Judicial offices is still in existence?

(d) If the answer to (c) is in the affirmative, will the Hon'ble the Member be pleased to state—

(i) what his duties are;

(ii) the judicial offices he has inspected during the years 1919-20, 1920-21, 1921-22; and

(iii) the amount the said officer has drawn—

(1) as pay; and

(2) as travelling allowance, each year during the last three years?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (a) No.

(b) The courts in the district of Pabna were last inspected by the District Judge on the following dates:—

(i) Subordinate Judges, 1st and 2nd courts, Pabna.—8th and 9th December, 1921.

(ii) Munsifs' courts, Pabna.—13th, 16th and 18th December, 1921.

(iii) Munsifs' courts, Sirajganj.—28th and 29th December, 1917.

(c) No.

(d) Does not arise.

Pabna district board's opinion on the utility of medical relief by employing peripatetic village practitioners.

118. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a copy of the opinion expressed by the Pabna district board on the possible utility or otherwise of the system of medical relief by employing peripatetic village practitioners partially subsidized by the Government and partially by the district board?

The Hon'ble Sir SURENDRA NATH BANERJEA: An extract from the proceedings of the ordinary meeting of the Pabna district board, held on the 14th March, 1921, is laid on the Library table.

Government income from Tippera and Pabna districts under the head of Administration of Justice.

119. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing separately for the last three years—

(i) the approximate annual income of the Government from the districts of Tippera and Pabna under the head of Administration of Justice (including judicial stamps); and

(*ii*) the approximate annual expenditure under the same head in those districts?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) and (*ii*) The member is referred to annual statement 1 in the Reports on the Administration of Criminal and Civil Justice in the Presidency of Bengal during the years 1919, 1920 and 1921.

Culverts and waterways in North Bengal.

120. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the Government are considering the desirability of taking steps to have a sufficient number of culverts and waterways constructed in the roads and railways in North Bengal before the next rains set in?

The Hon'ble Sir SURENDRA NATH BANERJEA: The member is referred to the reply given to unstarred question No. 121 on the subject asked by him at this meeting.

Culverts in the district board roads in North Bengal.

121. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether he is aware—

(*i*) that there is a dearth of culverts in the roads maintained by the district boards in North Bengal; and

(*ii*) that the existing culverts in the said district board roads are generally narrow or short?

(*b*) If so, what steps, if any, are the Government proposing taking in the matter?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Government have no information.

(*b*) Under section 78 of the Local Self-Government Act it is the duty of every district board to provide for and maintain roads, bridges, water channels, and other works for directly improving local communications. Government, therefore, do not propose to intefere in the matter, but will forward the question to the district boards concerned.

Travelling Allowance to Deputy Superintendents of Police in charge of Subdivision.

122. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state

whether any orders have been passed by Government sanctioning first class travelling allowance for deputy superintendents of police in charge of subdivisions?

(*b*) Will the Hon'ble the Member be pleased to state whether there is any proposal pending before the Government for granting higher rates of travelling allowance to the deputy superintendents of police?

(*c*) If so, when and by whom was such proposal made to the Government?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) Yes, for travelling within their own charges.

(*b*) No.

(*c*) Does not arise.

Interviews to the political prisoners in Pabna jail.

123. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state whether any restrictions have been put on granting of interviews to the political prisoners in the Pabna jail?

(*b*) If so, what are the reasons for this?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) and (*b*) The member is referred to the rules for the treatment of special class prisoners of which a copy is laid on the Library table. There are no separate rules for political prisoners.

Treatment of political prisoners in Great Britain and in Bengal.

124. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state what are the special considerations allowed to the prisoners treated as first class misdemeanants in England?

(*b*) Is there any difference in treatment in the jails of the Presidency of Bengal as accorded to the under-trial prisoners and to these actually convicted?

(*c*) If so, what are these distinctions?

(*d*) Will the Hon'ble the Member be pleased to state in what respects the treatment of political prisoners in the Presidency of Bengal differs from that accorded to the misdemeanants of the first class of Great Britain and Ireland?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) The member is referred to Chitty's Statutes, Sixth Edition, Volume 10, pages 779—781.

(*b*) and (*c*) The member is referred to the Bengal Jail Code, Sixth Edition.

(*d*) The member is referred to Chitty's Statutes, Volume 10, and to the rules for special class prisoners a copy of which is laid on the Library table. There are no separate rules for political prisoners.

Contributions for supplying uniforms to chaukidars and dafadars by union boards and union committees.

125. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing, year by year, for the last three years, for each district of Bengal—

(*i*) the annual average contribution from union boards and union committees for supplying uniforms to the chaukidars and dafadars;

(*ii*) the amount raised;

(*iii*) the amount spent;

(*iv*) the amount of unspent balance;

(*v*) the rate at which the contribution was raised; and

(*vi*) the amount spent on an average for the uniform of each chaukidar and dafadar?

The Hon'ble Mr. H. L. STEPHENSON: The member is referred to the rules of the Chaukidari Manual and to the answers given to starred question No. XIV asked by Mr. Bijoyprosad Singh Roy at the meeting of 3rd July, 1922, and to unstarred question No. 21 asked by Maulvi A. H. M. Wazir Ali at the meeting of 1st April, 1921.

Cost of survey and settlement operations in Pabna-Bogra districts.

126. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) what has been the initial estimate of cost of the survey and settlement operations of the districts of Pabna-Bogra; and

(*ii*) what is the amount recoverable from landlords and raiyats under section 114 of the Bengal Tenancy Act?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*i*) The initial estimate amounts to Rs. 25,56,640 (gross) and Rs. 22,48,640 (net).

(*ii*) The operations are not sufficiently advanced to state the total amount recoverable.

Depressed classes in Pabna.

127. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state what classes are included in the term "depressed classes" in the district of Pabna?

(*b*) Will the Hon'ble the Member be pleased to state the number of such classes residing within each of the Sadar and Sirajganj subdivisions of the said district?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) The member is referred to the answer given to unstarred question No. 195 asked by Babu Bhishmadev Das at the meeting of the 2nd September, 1921.

(*b*) Figures for the whole district will be found in the Census Report. Those for subdivisions are not available.

Scheme of free primary education.

128. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether it is a fact that the Government have in contemplation a scheme of free primary education by which free primary schools would be established in villages, half the expenses being subscribed by the district board and the local people and the other half by the Government?

(*b*) If so, will the Hon'ble the Minister be pleased to state whether any such schools have been started in any place?

The Hon'ble Mr. P. C. MITTER: (*a*) The member is referred to my speech introducing the supplementary grants under "31.—Education" regarding primary education in July last, a copy of which is laid on the Library table.

(*b*) No such schools have been started yet but a proposal has been submitted by one municipality and is under examination.

Constables in Pabna.

129. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) the total number of constables in the Pabna district; and

(*ii*) the number amongst them who are Bengalis?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) 479.

(*ii*) 225.

" Panchayeti " system in Pabna.

130. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) when the panchayeti system was introduced in the district of Pabna;

(*ii*) what is the total number of chaukidari unions at present and of villages comprised in these unions within the Sadar Sirajganj subdivisions, respectively; and

(*iii*) what is the number of unions established in the district of Pabna each year since the introduction of this system?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) 1st April, 1875.

(*ii*) There are 211 chaukidari unions in the whole district; the number of villages is 4,294 (1911 census).

(*iii*) The information is not on record.

Visit of the Executive Engineer of Rajshahi to Pabna.

131. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state whether it is a fact that the Executive Engineer of Rajshahi visited the Pabna district in connection with the erection of a sluice gate at the mouth of the Benipur Jola?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a copy of the report, if any, submitted by the Executive Engineer?

(*c*) Was this visit of the Executive Engineer made subsequent to the notice of a resolution of which notice was given by me for the March session of the Council this year?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) The reply is in the affirmative.

(*b*) The report is under the consideration of Government and is not for publication.

(*c*) The reply is in the affirmative.

Revenue derived from gun license fees in the district of Pabna.

132. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Police Department be pleased to lay on the table a statement showing the amount of revenue derived from gun license fees in the district of Pabna, year by year, during the last five years?

The Hon'ble Mr. H. L. STEPHENSON: The revenue derived from fees for licenses under the Arms Act in the Pabna district was—

In 1917—Rs. 344; in 1918—Rs. 350; in 1919—Rs. 2,400; in 1920—Rs. 2,342-4-0; in 1921—Rs. 2,093.

Recording of votes in election under Bengal Act III of 1885.

133. SHAH SYED EMDADUL HAQ: With reference to the answer given to unstarred question No. 90(*c*) put by Maulvi Azaharuddin Ahmed on the 4th April, 1921, will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the Government have come to any conclusion regarding the modification of the rule which debars a voter from giving all his votes to one candidate at an election under the Bengal Local Self-Government Act of 1885 (Bengal Act III of 1885)?

The Hon'ble Sir SURENDRA NATH BANERJEA: Government have consulted the local bodies concerned. Opinion is divided on the subject and after careful consideration, Government have decided that the rule should not be modified.

Water-works scheme of the Pabna Municipality.

134. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state what action, if any, has been taken to expedite the water-works scheme of the Pabna municipality?

(*b*) When is it estimated that the scheme will materialise and that the work will be taken up?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) The Chief Engineer, Public Health Department, proposes to undertake an experiment in boring a tube-well at Pabna in order to ascertain what type of water-works would be suitable to the municipality. A grant of Rs. 10,000 was sanctioned for this experiment in October last but the boring could not be taken up owing to the death by violence of the expert who was to have undertaken the work. The boring will be taken up as soon as the expert engaged in a similar experiment at Patuakhali is set free. It is expected that the boring at Pabna will be completed in two or three months' time. The Chief Engineer, Public Health Department, will prepare a scheme as soon as the results of the experiment are known.

Medical men to inquire into the prevalence of kala-azar in the Hooghly district.

135. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state the name and rank of the medical man or men, who visited village Sikta, police-station Dadpur, railway station Belmuri, Burdwan-Howrah Chord, East Indian Railway, in the Sadar subdivision of the Hooghly district on the 14th or 15th September, 1922, to inquire into the prevalence or otherwise of kala-azar in that locality and its neighbourhood and the amount of travelling allowance drawn by him or them?

(*b*) Will the Hon'ble the Minister be pleased to lay on the table a copy of the report on the result of their inquiry and examination of kala-azar by experts who visited village Sikta on the abovementioned date together with a statement showing—

(*i*) the train by which they arrived;

(*ii*) the time of their arrival at Sikta;

(*iii*) the number of families at Sikta;

(*iv*) the names of the persons examined by them;

(*v*) the time of departure from Sikta;

(*vi*) the time of arrival at Kanaipur;

(*vii*) the number of families at Kanaipur;

(*viii*) the names of the patients examined at Kanaipur;

(*ix*) the time of departure from Kanaipur;

(*x*) the time of arrival at Chandunpur, and

(*xi*) the time of departure by train for Calcutta?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) None of the medical officers employed in kala-azar survey visited village Sikta (police-station Dadpur, railway station Belmuri, district Hooghly) on the 14th or 15th September, 1922. The survey of the Dadpur thana has not yet been taken up by the Public Health Department.

Newspapers allowed to political prisoners in Pabna jail.

136. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state—

(*i*) what newspapers were and are allowed for special class prisoners in the Pabna district jail; and

(*ii*) whether newspapers like the *Amrita Bazar Patrika*, the *Servant*, the *Basumati* and the *Ananda Bazar Patrika* are allowed in the said jail for special class prisoners?

(*b*) If the answer to (*a*) (*ii*) is in the negative, what is the reason for this differentiation?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*), (*ii*) and (*b*) Special class prisoners are not allowed newspapers under the rules now in force.

Final forecast of the winter crop of certain districts.

137. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a copy of the final forecast of the winter crop of the current year in the districts of Rajshahi, Pabna and Bogra?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): It is presumed that information regarding winter rice crop only is wanted. The final forecast of the winter rice crop will not be ready before the middle of February, 1923.

Revenue demand of the Pabna district.

138. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state for the district of Pabna—

(*i*) what was the revenue demand in the year 1793;

(*ii*) what was the amount of rent realized by the zamindars in the year 1793; and

(*iii*) what is the amount of rent now realized by the zamindars from the tenants?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) and (*ii*) The information cannot be given as the district was formed in the year 1832.

(*iii*) It is estimated that the amount is Rs. 28,02,226.

Conditions imposed when granting licenses for arms.

139. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Police Department aware that District Magistrates in issuing licenses for arms insist on taking declarations or undertakings from applicants that they will remain loyal to the Government?

(*b*) If so, will the Hon'ble the Member be pleased to state the authority under which such actions of district officers are justified?

(*c*) If there is no authoritative law or rule on the subject, are the Government considering the desirability of issuing orders to District Officers not to insist on imposing such conditions in the matter of granting licenses to persons eligible for possessing arms?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) No, Government have received no complaints on the subject.

(*b*) and (*c*) The instructions issued for the guidance of District Magistrates are contained in paragraph 36 of the Arms Manual.

Typists and copyists in courts in Bengal.

140. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing separately, district by district, the number of Muhammadan and non-Muhammadan copyists and typists employed in the Civil, Criminal and Revenue courts in Bengal?

(*b*) Will the Hon'ble the Member be pleased also to lay on the table a statement showing the average remuneration received by the copyists and typists, respectively, district by district, during the last three years?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) and (*b*) A statement is laid on the Library table.

Registration of births and deaths in the mufassal.

141. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) whether the duty of the registration of births and deaths has been given, in a number of cases, to local union boards or to chaukidari panchayet committees; and

(*ii*) in which districts, the total number of union boards and chaukidari panchayet committees have been entrusted with this duty?

(*b*) Is it the intention of Government to entrust this duty to all union boards and chaukidari panchayet committees?

(*c*) Has the cost in this respect increased or decreased by the transfer of these duties?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*) and (*ii*) The duty was transferred as an experiment some years ago to chaukidari panchayets in the subdivisions of Kalna, Chandpur and Lalbagh and the district of Bogra. Some of these panchayets have now been replaced by union boards on the introduction of the Village Self-Government Act.

(*b*) The question is under consideration.

(*c*) The cost has increased on the introduction of the experiment. Government sanctioned a contribution of Rs. 4 a month towards the pay of a munshi on Rs. 10 in each union, the union paying Rs. 6.

Government grant to dispensaries in Pabna.

142. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state the amounts of grants given by Government to the Sadar and Sirajganj subdivisional charitable dispensaries in the district of Pabna for the free supply of medicine to Government servants, stating the amount in each case in 1919-20, 1920-21 and 1921-22?

The Hon'ble Sir SURENDRA NATH BANERJEA: The following grants were made to the dispensaries during the three years in question, viz.:—

Pabna Sadar dispensary: 1919-20—Rs. 200; 1920-21—Rs. 200; 1921-22—Rs. 200.

Sirajganj subdivisional dispensary: 1919-20—Rs. 100; 1920-21—Rs. 100; 1921-22—Rs. 150.

Acquisition of land for residential quarters for the Collector of Pabna.

143. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Acquisition) be pleased to state—

(*i*) whether the Government have expressed an opinion that an official residence should be provided for the Collector of Pabna;

(*ii*) whether the Government have already acquired any land for the purpose;

(*iii*) if so, how much land has been acquired; and

(*iv*) at what cost has the same been acquired?

(*b*) If no land has already been acquired will the Hon'ble the Member be pleased to state whether it is in the contemplation of the Government to acquire any land for the purpose?

(*c*) If so, how much land will be acquired and what will be the probable cost of such acquisition?

(*d*) Will the Hon'ble the Member be pleased to state whether any estimate has been prepared regarding the cost of construction of the buildings, etc., for the purpose?

(*e*) If so, will the Hon'ble the Member be pleased to state the estimated cost of the scheme?

(*f*) When is it proposed to proceed with the construction of the buildings, etc., in connection with this scheme?

MEMBER in charge of DEPARTMENT of REVENUE [LAND ACQUISITION] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) to (*f*) In 1920 owing to the threatened erosion by river of the private house previously occupied by the Collector of Pabna, and the difficulty of getting a suitable house, it was proposed to build a house for him at a cost of Rs. 59,670. But the proposal has for the present been abandoned, as the river has since been receding.

Audit report of accounts of Calcutta University.

143-A. Babu RISHINDRA NATH SARKAR: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether he has received any communication or report from the Accountant-General of Bengal on the audit of accounts of the Calcutta University, subsequent to his report dated 24th July, 1922, which is described by him as only the first part of his report?

(*b*) If so, will the Hon'ble the Minister be pleased to lay the papers on the table?

The Hon'ble Mr. P. C. MITTER: (*a*) Yes.

(*b*) Copies are laid on the Library table.

Procedure relating to debates.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: MR. PRESIDENT—Before the proceedings begin, I want to invite your attention to a matter of some importance to us—insignificant members hailing from the mufassal—with regard to the ruling, which you were pleased to give yesterday, namely, that only those members shall be called upon to speak who may catch your eye. I remember to have caught your eye on several occasions, but I cannot vouch for having caught your mind at any rate. Does this procedure supersede the practice hitherto followed of sending "slips" containing the names of members who want to speak on any particular resolution? I want to have definite information on this point and I also want a ruling on the point, as to whether or not when the closure has not been moved it is necessary or desirable that the debate should be closed and the official members should be called upon to reply. Yesterday, in connection with the debate on the question of the participation of Bengal in the British Empire Exhibition, Mr. Donovan was called upon to reply before all the speakers had their say on the subject and thus, in a manner, the debate was closed although no closure was moved from the House. On this point, Sir, I want your definite ruling for our future guidance.

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): The hon'ble member is of course technically out of order, but I am very glad to have this opportunity of explaining a matter with regard to which he and other members are apparently under a grave misapprehension. The procedure adopted in this Council, namely, that members who desire to speak must rise in their places, is a form of procedure which has prevailed in the Legislative Assembly and the Council of State at Delhi ever since the introduction of the Reforms. It is a form of procedure which prevails in every other Legislative body with which I have any sort of acquaintance. There is nothing with regard to that form of procedure which need upset or alarm the hon'ble member or any other hon'ble member. All that a member need do, if he wishes to speak, is to rise in his place and endeavour to catch the President's eye. Whether he succeeds in catching the President's eye depends on a variety of things. First of all, it may be that the President's eye may be directed at the moment to the opposite side of the House. It may also happen that five or six members may rise at the same time and the President's eye may fall on one member and not on others. But the hon'ble member can rest assured that I shall always make an endeavour to call, as far as possible, upon members who rise. The House must understand, however, that it is not always possible to call upon a member the first time he rises. He should continue to rise until he succeeds in catching the eye of the President.

With regard to the other matter that Nibaran Babu has brought to my notice, I should like to remind him that the debate in question lasted two hours and a half, that the matter was, I think the Council will agree, very thoroughly discussed and that every form of argument was employed and every form of opinion received expression. The time always arrives in a debate when a conclusion must be reached, and it is within the discretion of the chair, when the position is such that a matter has been under discussion for 2½ hours, to decide that the time has come to call upon the hon'ble member representing the Government to reply. I am very sorry that the Rai Bahadur was deprived of the opportunity of putting his views before the Council on that occasion, but, in that respect, hon'ble members are not subjected to any disadvantage and are not deprived of any privilege which they now enjoy. I am very anxious to bring the procedure of this House into line with that of other legislative bodies, and I hope that hon'ble members will support the chair in that endeavour.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I am very thankful to you for this expression of opinion and that removes a good deal of misapprehension, and I think we shall all be satisfied in future.

Mr. PRESIDENT: I think I may add one more observation. I shall be glad if hon'ble members will send up their names, as that will help

me to calculate how long a debate is likely to last, but I cannot guarantee that I shall call upon those members whose names are sent to me unless they rise in their places. If hon'ble members who send up their names to me rise in due course in their places, I shall do my best to see that every one gets an opportunity of speaking.

Non-official members' Bills.

Mr. PRESIDENT: With regard to the University of Calcutta Amendment Bill, the Calcutta University Amendment Bill, the Calcutta Suppression of Immoral Traffic Bill, the Calcutta University Bill and the Bengal Fish Fry Preservation Bill, the necessary sanction of the Government of India has not been received, and therefore these Bills cannot be taken up to-day. With regard to Mr. J. Campbell Forrester's motion to introduce a Bill to amend the Calcutta Rent Act, 1920, and Mr. Bijoyprosad Singh Roy's motion to introduce a Bill further to amend the Bengal Village Self-Government Act, 1919, those Bills will be taken up under the provisions of section 47. His Excellency the Governor has already ordered the publication of both these Bills, together with the Statements of Objects and Reasons accompanying them in the *Gazette*, and, therefore, no motion for leave to introduce either of those Bills is required and no debate will be in order. The procedure will take the form of reading the Bill for the first time. The Bills will be introduced by the hon'ble members concerned and when they have done that the title will be read out by the Secretary and the Bills laid on the table. Upon a subsequent occasion the procedure outlined in section 51 will be followed, but for the present there will be no debate and no discussion: it will be purely a formal introduction of the Bill. I make this explanation because I have been waited upon by certain members who desired me to make the position clear to the Council.

With regard to the Bengal Village Chaukidari (Amendment) Bill and the Bengal Village Self-Government (Amendment) Bill, the procedure will be under section 50. The motion will be made for leave to introduce the Bill. A brief explanatory statement will be permitted from the member who moves the Bill, and if any member opposes it, a brief speech will be allowable after which the question will be put without further debate.

The Calcutta Rent (Amendment) Bill, 1923.

Mr. J. CAMPBELL FORRESTER: I find that Government have very kindly complied with my request and have published and circulated my Bill. This makes my task easier and it remains only for me now formally to introduce the Calcutta Rent (Amendment) Bill, 1923. It is not my intention to take up the time of this House unnecessarily;

therefore, I will only confine myself to a few statements bearing on the Bill and reserve my principal remarks for the time when the Bill will be brought before the House for discussion, *i.e.*, when I move for its second reading about the 8th of February next. I think that every member of this House, who has the citizen's welfare at heart, must recognize the absolute necessity of the continuation of the Calcutta Rent Act. No one will gainsay the fact that the Calcutta Rent Act Bill has been of great benefit to our citizens, and they are greatly indebted to the Hon'ble the Maharajadhiraja Bahadur of Burdwan—the Hon'ble Member who was responsible for the passing of the present Act. He said, when he introduced his Bill—

> It seems certain that unless there is some system of control, rents will rise still higher, and an intolerable situation will be created. It is, therefore, necessary temporarily to protect the general public against the rapacity of a limited section of landlords. . . .

Mr. PRESIDENT: You are merely introducing your Bill, and any controversial matters that you wish to bring in, such as the reference to the rapacity of landlords which I think I caught, must be reserved for a subsequent occasion. This is now a purely formal introduction of the Bill. When the time comes for the second reading, you will be able to utilize all your controversial matter.

Mr. J. CAMPBELL FORRESTER: I was using the speech of the Hon'ble the Maharajadhiraja Bahadur of Burdwan.

Mr. PRESIDENT: It does not really matter whose speech you are using. The point is that you are now simply introducing the Bill, and you should not introduce any controversial matter.

Mr. J. CAMPBELL FORRESTER: The Maharaja's name is remembered with affection and respect by the poorer classes of the Indian, European, and Anglo-Indian community for his truly great services to them in the past. His words on that occasion were words of truth and wisdom, and apply to to-day's position, as much as they did when they were spoken three years ago. It is well-known to the Government that there is a wide-spread desire on the part of the citizens of Calcutta that the Rent Act, 1920, should be extended for a further period.

I will give here a few instances of the exorbitant increases that have taken place where the tenants have not bothered to go to the Rent Controller, and one can readily see by that what a terrible position the poor tenants would have been in, had there been no protection at all provided for them.

Let me start by illustrating the first instance that I am aware of, a house in Theatre Road——

Mr. PRESIDENT: I am sorry to interrupt you again, but you really cannot go into these details when you are introducing the Bill. The appropriate time for doing that will be on a subsequent occasion when you move to refer the Bill to Select Committee, in other words, on the occasion of the second reading of the Bill. All you now have to do is to introduce your Bill, and I suggest that the greater part of your speech should be reserved till the subsequent occasion.

Mr. J. CAMPBELL FORRESTER: Then there is nothing left for me to say except that I introduce my Bill with the Statement of Objects and Reasons already given.

The Secretary then read the short title of the Bill.

The Bengal Village Self-Government (Amendment) Bill, 1922.

Mr. BIJOYPROSAD SINGH ROY: I beg to introduce a Bill further to amend the Bengal Village Self-Government Act, 1919. I need hardly remind the House of the discussion which took place over this problem of Village Self-Government in the last session of the Council, and I do not think that after that it is at all necessary for me to offer any explanation for proposing the amendment of an Act which has been placed in the Statute Book scarcely three years ago. So, Sir, I would reserve my further speech for the next stage of the Bill.

With these very few words I beg to introduce it.

The Secretary then read the short title of the Bill.

The Bengal Village Chaukidari (Amendment) Bill, 1923.

Babu INDU BHUSHAN DUTTA: I move for leave to introduce a Bill to amend the Village Chaukidari Act, 1870. This Bill with the Statement of Objects and Reasons has already been circulated to all the members of this Council, and I do not think any lengthy speech would be needed at this stage of the Bill. As is well known to the members of this Council, section 11 of the Village Chaukidari Act was amended during a previous session of the Council, because it was felt that the salary of the chaukidars needed improvement. That amendment also provided that the question of the determination of the salary of chaukidars should be left in the hands of the panchayet, with certain safeguards of course. This was a very salutary principle, because it is the panchayet, who is responsible for finding the money for the salary of the chaukidars.

With the question of the salary of the chaukidars is intimately connected the question of the number of chaukidars that may be necessary for a certain area. There is a feeling in the country that the nature of the service of chaukidars should be improved. Whether this

can be done by making them whole-time servants or only part-time servants, as at present, remains to be seen. If they are to be made whole-time servants, the number of chaukidars may be reduced in certain quarters: or, if they are retained in their present shape, their number may have to be increased. Therefore, the question of their number is an important matter. If the panchayet is to determine the salary, they must also determine the number.

As I have already mentioned, by sanctioning the amendment of section 11 of this Act, this Council is in a manner committed to this amendment, because this amendment is more or less a corollary to the amendment that has been accepted by this Council. With these few words, I beg to move for leave to introduce the Bill.

Leave being granted the Secretary then read the short title of the Bill.

The Bengal Village Self-Government (Amendment) Bill, 1923.

SHAH SYED EMDADUL HAQ moved for leave to introduce a Bill to amend the Bengal Village Self-Government Act, 1919.

He spoke in Bengali. The translation of his speech is as follows:—

I presented a Bill to amend the Bengal Village Self-Government Act some time ago. But as the Hon'ble the Minister in charge expressed the desirability of referring this Bill to a Select Committee I withdrew my motion. It is needless for me to amplify my arguments in order to support the necessity of the amendment of such an Act. It will be better if the Act is amended as soon as possible. It is not my intention to take up the time of the Council by advancing arguments. Arguments, as I have said on more occasions than one, are unavailing in this Council. The Statement of Objects and Reasons appended to the Bill will explain to a certain extent the need for such a measure. I would, therefore, only move for leave to introduce a Bill to amend the Bengal Village Self-Government Act, 1919.

Leave being granted, the Secretary then read the short title of the Bill.

Resolutions

(on matters of general public interest).

Mr. PRESIDENT: I propose to take resolutions Nos. 1, 2, 3, 4, 5, 6, 7 and 8 together but before I call upon Mr. Ajoy Chunder Dutt to move the first of these, there is one matter which I should like to bring to the notice of the Council. I understand that the question which is involved in these resolutions has occasioned a considerable amount of

feeling. I therefore want to make it perfectly clear to the Council that I expect the debate on these resolutions to be conducted with due regard for the proprieties of parliamentary discussion, and that as far as possible acrimonious references and allusions shall be avoided. I do not in the least want to take severe measures with regard to this matter. I therefore earnestly appeal to members to support me in the line of conduct which I have indicated.

The Calcutta University.

Mr. AJOY CHUNDER DUTT: I move that this Council recommends to the Government that the sum of Rs. 2,50,000 voted for the Calcutta University by this Council be made over to the said University.

I realize that the task which I have undertaken is a somewhat difficult one for two distinct and different reasons. I know the temper of this House when University matters come up for discussion. I remember the discussion which followed upon the speech made by Babu Rishindra Nath Sarkar. He proposed, so far as I remember, to have a committee appointed for the purpose of looking into the University affairs. I remember his scathing speech, and I remember the numerous other scathing speeches that followed. I do not desire to make personal references but I do appeal to the Members of this Council to discuss this question upon the facts which I shall place before them. I expect the members of this Council to divest themselves of their ill-feelings, if they have any, against the Calcutta University and against the Vice-Chancellor and to decide this question upon the facts that I place before them. I feel perfectly sure that if they do so, they will agree with me and sanction the payment of Rs. 2,50,000 which I propose. This matter has been discussed in every household. Every one has made up his mind either one way or the other as to whether this money should be given to the University and that is the second difficulty in my way. It is extremely difficult to convert a person who is convinced that he is right and that I am wrong. But I would make an appeal to them. This question is one of great importance because it must be realized that the continuance of the Calcutta University depends upon a grant being made and if this is refused, I can predict with confidence that the Calcutta University will have to close down although it may be for a short time. For these reasons I do expect that the members of this Council will realize the gravity of the situation in which the Calcutta University is placed and will vote in such a manner as will commend itself to the whole of Bengal.

We have been told not once, but off and on, that the Calcutta University or the authorities of the Calcutta University have been guilty of

thoughtless expansion of their activities. This charge has been made by many persons in this Council. So far as I know this charge has not been repudiated here. I want to explain to the members of this Council that the present difficulty of the Calcutta University has arisen not because of any thoughtless expansion on the part of the University but because of unforeseen circumstances which the University could not avoid. I shall explain this presently.

The University has suffered a loss of about three lakhs by reason of the non-co-operation movement. This statement I find in the report of the Accountant-General at page 174 of this blue book—Report of the Government Grant Committee. It says this:—

One of the chief causes for the financial trouble is the drop in the receipts of the Fee Fund during 1921-22 by about two lakhs as compared with the receipts of 1920-21 due to circumstances over which the University had no control. The shortage comes to about Rs. 3 lakhs if the progressive increase of previous years be taken into account, so that the non-co-operation movement is responsible for a loss of three lakhs of rupees to the Calcutta University.

I have never understood that movement. I do not pretend to understand that movement even now. Why the non-co-operators should have directed their energies and their activities to demolish an institution which has been built up mainly with Indian money, I have never been able to understand, but the fact remains that they attacked the University with the result that a loss of three lakhs of rupees occurred to the University.

Then again in 1917 certain questions leaked out. This involved an additional expenditure of Rs. 60,000. This makes Rs. 3,60,000. Then, on the top of that, we get the establishment of certain new universities, the Dacca University, the Rangoon University and the Patna University. The result of this has been that the income of the Calcutta University has been greatly diminished, so that we see a great portion of this deficit is due to causes over which the Calcutta University had no control. The cleverest man could never have foreseen that non-co-operation would be directed against the Calcutta University; he could never have foreseen that a leakage of questions would occur in 1917. These are things which could never have been foreseen. Therefore, I think that to charge the authorities of the Calcutta University with a lack of foresight is, to say the least, not fair.

Now, Sir, the Calcutta University realized the difficulties in which they were placed. Realizing the difficulties they made an appeal to the India Government. They asked the India Government for financial assistance and, in the alternative, if that Government was not prepared to render financial assistance, asked for permission to change certain regulations by which they would be able to increase examination fees connected with the Matriculation and the Intermediate Examinations. This they considered absolutely essential for increasing the income of

that University. For reasons which I have never been able to understand, the Government of India refused their sanction. The Calcutta University, knowing their financial difficulty, appealed to them saying either pay us the money or let us help ourselves. The Government of India practically said—"We will not pay you the money and we will not let you help yourselves." This is really the cause why, to-day, there is a deficit of Rs. 5½ lakhs. If these thing had not occurred, I am perfectly sure that it would not have been necessary for the University to petition the Government of Bengal for financial assistance. The University has petitioned but the response has not been favourable. On the 23rd August the Government of Bengal sent a letter to the Calcutta University saying that they were prepared to hand over Rs. 2,50,000 which was voted by this Council, if they were prepared to accept certain terms and conditions mentioned in that letter. The Calcutta University considered the matter and there was rather a heated discussion with reference to that subject when the matter came up before the Senate on the 2nd of December last year. I received the impression, or rather when I read the speeches made by the Senators at that meeting, I came to the conclusion that the offer had been rejected. After that, I got this blue book—Report of the Government Grant Committee. I read through this report and I found that the report was not in harmony with the speeches made by the Senators at the meeting of the 2nd of December. I find that practically all the major terms and conditions contained in the letter of 23rd August were accepted by the University. Though they did not say so, they were accepted. I can prove to you that they have been acting on them for the last three or four months. They have been acting upon these recommendations and they have explained the reasons why they have not been able to keep the accounts according to the most approved method. Now in order to convince the members of the Council that this is so, I desire to deal with these conditions—the conditions laid down in the letter of the Hon'ble the Minister for Education and the answers given by the University. Now the first condition—I admit that it is a good condition—is—

. . . no further expansion involving financial responsibility will be undertaken by the University until their financial position shows an improvement.

A very good condition, that is to say, you have not got money and you must not expand. You have got to pay off your debt and you must not incur fresh obligations. How has the University dealt with that? In a letter sent by the University on the 14th February, 1922, the following passage occurs:—

The Syndicate in these circumstances request that a grant be made out of the public revenue to enable them to meet this deficit. The Syndicate desire to emphasize that this sum is not needed for new work to be undertaken. It is required to meet liabilities which have been already incurred and could not be avoided. It is not practicable to alter existing arrangements all on a sudden.

To take one illustration: most of the appointments in the teaching department of the University were made for a term of five years in the beginning of 1920. The University is under a legal obligation to pay the salaries of the gentlemen so appointed for some time yet to come. But it is necessary to point out that no fresh liabilities are being incurred. Wherever practicable, vacancies on the staff have not been filled up; when it has been found absolutely necessary to fill up a vacancy a person has been appointed for the shortest possible term, and on the lowest pay acceptable.

Does not that make it perfectly clear that the University wants this Rs. 5½ lakhs grant for the purpose of paying off its debts? Rightly or wrongly, the University has contracted debts to the extent of Rs. 5½ lakhs. The money has got to be paid, unless you decide to allow the University to close down. Government must pay the debt and I think that the best course is to pay the debt now. This grant of Rs. 2½ lakhs which I ask for is for the payment of the debts incurred by the University. Not a farthing of that money will be spent on other purposes, on expansion and so forth. Why do not you believe the University? The University has made that statement over and over again in this book. Why do you not believe the University when they say that this Rs. 2½ lakhs is wanted for the purpose of meeting the deficit, and not for the purpose of expansion? I think, therefore, that it is quite clear that the first condition laid down in the letter of the Hon'ble the Minister has been accepted by the University.

The second condition reads thus:—

The budget for this year should, after it has been passed by the Senate, be submitted to Government by the 15th October next, but that for future years it should be prepared by the first week of May and after similar approval by the Senate be submitted to Government by the 15th of that month. The budget estimates should show the actuals for the last three years, the revised estimates of the current year, and the proposed estimates for the following year. After the budget is passed by the Senate, extracts should be communicated to each department with distinct instructions to keep the expenditure within the sanctioned grant.

Now, unfortunately, last year the University had delayed in presenting and passing the budget. The reason is stated at page 74 of this blue book. This is what the report says:—

As regards the year 1921-22 it may be pointed out further that there were really no reliable data available for the preparation of the Budget Estimates in what may be considered the appropriate time, namely, before the commencement of the financial year. The fees received from the candidates at the various examinations constitute the chief source of income of the University; and a sudden decrease in the number of candidates cannot but completely upset all previous calculations. Thus, if the Budget Estimates for 1921-22 had been prepared, say in March, 1921, on the basis of the number of candidates during the three preceding years, the estimates would have proved dangerously misleading. Not the wisest amongst the members of the University could, at the time, anticipate the probable number of candidates at the principal examinations to be held in the early months of 1922.

That is the explanation given why the budget of 1921-22 was not timely prepared but the University gives an undertaking that it will prepare the budget in time in future. This is what they say. At page 72 of this blue book, you find some rules laid down. These rules have lately been framed in order that budgets may be prepared and passed in time. I may be allowed to place before the Council some of the more important of these rules:—

The Board of Accounts shall prepare the Budget Estimates of income and expenditure of the University in March and submit it to the Syndicate early in April. It shall be based on (a) special preliminary budgets, etc., etc.

Then secondly, the Syndicate shall consider the Budget Estimates in April and shall, not later than the second week of May, send a copy thereof to every member of the Senate, with their observations and recommendations.

Thirdly, the Senate shall discuss the budget at a special meeting to be held in the third week of June. The President of the Board of Accounts shall present the budget and move its adoption, explaining its special features and the extent to which the recommendations of the Syndicate, if any, shall be accepted.

So, we find that whatever the practice may have been in the past, it has been changed. The budget for the next year has already been passed so that I may take it that the University is making every attempt to conform to condition No. 2.

Then, let us come to condition No. 3—

It is desirable that section 2, Chapter VI, of the Regulations should be so altered as to enable the Board of Accounts to meet once every month, and it is hoped that steps will be taken for the purpose by the first week of November, but until this is done, the Board should be convened as frequently as possible under the authority vested in the Hon'ble the Vice-Chancellor under the section referred to above, but in any case not less than once in three months with a view to examine and audit the accounts, consider the ways and means as well as the financial effects of any important measures in contemplation and make recommendation relating to the finances of the University.

Now with reference to that, certain difficulties have been explained by the University in this report. The report says—

Minute directions are given as to how many times the Board of Accounts should meet in the course of a year; it is evidently assumed that meetings and discussions alone lead to an increase in the funds of the University. To take one illustration only: the Board of Accounts met on the 9th November, 1921, drew up an elaborate report which was discussed by the Syndicate on the very next day and was forwarded to the Government of Bengal two days later. A year has elapsed since then and the Board of Accounts has met from time to time in the interval, but not a iota of additional money has yet come into the University chest. It is possible that the Government are not aware that monthly statements of accounts are prepared and regularly submitted to the Syndicate. It cannot be assumed that matters would have been different if the Board of Accounts had met even from week to week.' As we have already established, the difficulties were foreseen two, if not, three, years ago—only those who might and should have assisted the University have not come forward.

Then there is another condition that the accounts of separate funds should not be mixed up and the actuals of receipts and expenditure under each fund should be prepared and submitted to the Board of

Accounts, to the Senate, and the Government of Bengal every month soon after its close. The University is quite willing to accept this, but the only difficulty in the way is the report of the Accountant-General. The Accountant-General says in his report that it is not necessary to keep separate accounts for separate funds, so that the University is rather puzzled as to whether to accept the recommendation of the local Government or the recommendation of the Accountant-General. If the matter is explained to the University I have not the slightest doubt that it will follow the course recommended by Government.

Then about the publication of the budget, the University authorities have done something better than what has been suggested by Government. So far as I know, the budget was published this year in the *Calcutta Gazette* which secures publicity.

Then, as regards the last condition, that all arrears of salaries and at least half the amount of the examiners' remunerations amounting to Rs. 1,75,000 up to the 30th June, 1922, should be forthwith paid, that has been fulfilled. The teaching staff have been paid right up to the 31st December, 1922, and there are no arrears with reference to that, so that we find whether the University authorities admit or not, they have accepted most of the conditions. The main condition have been accepted which were imposed by the Hon'ble the Minister for the purpose of preventing waste. Now that these conditions have been accepted by the University authorities—although they choose to say that they have not accepted them—I think that it is high time that the grant of Rs. 2,50,000 should be paid. This money, I repeat, will be utilized for the purpose of paying off the debts of the University and not a farthing of it will be spent for expansion of the University. In these circumstances, can there be any reason why this money should not be paid? Now the responsibility with reference to the letter of the 23rd August, of course, rests with the Minister. These conditions, so far as I know, were imposed without any sanction from the Legislative Council. In his speech, the Hon'ble the Minister did make references, I think, to certain conditions but what those conditions were we did not know until they were actually imposed on the University. Rightly or wrongly, those conditions are there, and the responsibility with reference to them rests upon the Minister. It is for the members of the Council to decide whether that responsibility should continue with the Hon'ble the Minister or whether we should assume the responsibility. As soon as we say that we are not going to sanction this grant of Rs. 2,50,000, the responsibility becomes ours, and not the Minister's. Therefore, I say, let the responsibility continue to rest with the Minister and pass the grant of Rs. 2,50,000. It is only a recommendation. The Minister is at liberty to refuse to accept our recommendation. If the Hon'ble the Minister feels that he has a very strong case, he can go to the country and explain why he has refused to accept the recommendation of this Council, but let us not take the responsibility on ourselves

by refusing the money. The money is urgently necessary for the well-being of the Calcutta University.

I may tell you that there are funds which will enable the University to go on, say, up to the end of March, not longer. The examination fees are coming in and it is upon these examination fees that the University is living to-day. After March, if there is no financial assistance from Government, the University must necessarily close down. Again, if you do not make this grant of Rs. 2,50,000, you will not be in a position to give rupees 3 or 3½ lakhs next year. You must be logical. If you refuse the money to-day, because the University authorities have refused to accept the conditions, you will have to keep on refusing grants to the University in future. The University must close down; the responsibility is extremely heavy, and I implore the members to consider very carefully before they undertake the responsibility of refusing this grant. We have already imposed three taxes which are unpopular. Let us not make ourselves still more unpopular by destroying the Calcutta University. If you want the success of the Reforms, if you want people to have faith in the Reforms, you must accept this recommendation. If the refusal of this recommendation means the closure of the University even for a single day, it will mean a great discredit to us. I therefore ask the members of this Council, individually and collectively, to consider the matter seriously before deciding to vote against my resolution.

Mr. PRESIDENT: Professor Mukherji, your resolution and the succeeding ones on the paper are regarded as amendments to resolution No. 1. Fifteen minutes is, therefore, your time-limit.

Professor S. C. MUKHERJI: I move that this Council recommends to the Government that a grant of Rs. 5,39,480 be made immediately to the Calcutta University without imposing any conditions thereto to enable it to wipe off its deficit.

I deeply appreciate the remarks which fell from your lips at the very outset, in view of the fact that the atmosphere is charged, nay surcharged, with electricity and that the controversy has now assumed a personal aspect, no well-wisher either of the Legislative Council on the one hand, or of the University on the other, will do anything or say anything to aggravate the situation. I also hope that this matter will be uplifted from the region of personalities and will be looked at with a dispassionate spirit. There is one fact which is incontrovertible and that is that the Calcutta University is now faced with a deficit of about Rs. 5½ lakhs. The Accountant-General in his report has traced the causes and they have already been mentioned by my friend, Mr. Ajoy Chunder Dutt. The University in their report has also summarized the causes that have contributed to the present financial difficulties, and there is one factor which is common, namely,

that a good part of the deficit is due to the cult of non-co-operation. According to the Accountant-General it is Rs. 3 lakhs, according to the University authorities, it is Rs. 4 lakhs, but the common factor is there. If that be a fact and is one of the causes which goes to explain the bulk of this deficit, I do not for myself see any reason why this grant should be saddled with any condition. It is a fact that in July last, this Council voted a grant of Rs. 2,50,000 without imposing any condition. No condition was attached to the grant at that time in the month of July last.

Babu SURENDRA NATH MALLIK: I rise to a point of order. There is a conversation going on between Professor Mukherji and another member.

Mr. PRESIDENT: It has hardly begun and if it goes on it will be stopped.

Professor S. C. MUKHERJI: I understood that only the President was to call to order.

Babu SURENDRA NATH MALLIK: I think I have a right to rise to a point of order.

Mr. PRESIDENT: You may go on, Professor Mukherji.

Professor S. C. MUKHERJI: I do not know why the Hon'ble the Minister did not send the money immediately to the University. Evidently he waited for the report of the Accountant-General, but seeing that even the Accountant-General admitted the fact that the deficit to the extent of Rs. 3 lakhs was due to causes over which the University had absolutely no control, I do not see any reason why the grant sanctioned by the Council was not given. As regards the question whether a part of this deficit was due to bad financial management, it is highly controversial. The University has issued a volume covering nearly 200 pages in which the statement has been categorically challenged. Whether we accept the arguments set forth by the University or not, it goes without saying that the matter is highly controversial and where the issue is so controversial, the question of meeting a deficit should not have been hedged in with conditions.

Now, Sir, taking it for granted that a part of this deficit was due to the opening of regular post-graduate teaching classes from 1917-18, even taking that for granted what crime has the University committed? The University before 1904 was an examining body and it was highly condemned on that score. Lord Curzon in his convocation speech in 1904 said—

What ought the ideal University to be in India, as elsewhere? As the name implies, it ought to be a place where all knowledge is taught by the best teachers to all who seek to acquire it, when the knowledge so taught is turned to good

purposes and where its boundaries are receiving a constant extension. If I may borrow a metaphor from politics, there is no scientific frontier to the domain of knowledge It is the one sphere where territorial expansion is the highest duty instead of an ignoble greed. Then the ideal University that we are contemplating should be centrally situated; it should be amply and even nobly housed; it should be well equipped, and it should be handsomely endowed. In these conditions it would soon create an atmosphere of intellectual refinement and culture, a moral quality and influence would spring within it and traditions of reverence would grow up like creepers round its walls.

After these memorable words the Indian Universities Act of 1904 came into operations and the Calcutta University was transformed from an examining body into a teaching organization. The head and front of the offence of the Calcutta University—call it thoughtless expansion if you like—is that it has created an intellectual atmosphere—an atmosphere of refinement and culture. The Calcutta University is the premier University in India—a University of which we are proud and of which India is proud. This University is sending out its alumni to help other Universities to come into being. Has the Government done much to help this University by making liberal financial grants? The University authorities say that within the last 10 years, in the case of the Science department, the Government of India contributed less than 7 per cent. of the total expenditure, while in the Arts department they contributed about 17 per cent. Anyway, the Government have not done all that they could have done in the matter of helping the University financially and now that it is on the verge of bankruptcy, is in a serious financial embarrassment, is it right, is it fair, to bring it to its destruction?

Now, Sir, about the conditions. I can very well understand the position of the Hon'ble the Minister for Education. As the trusted custodian of public funds he feels that it is incumbent upon him to see that the funds granted to the University are well administered, and at the same time——

Mr. PRESIDENT: Your time is up, Professor. You must be very brief.

Professor S. C. MUKHERJI: I shall take only two or three minutes more. At the same time I can understand the feeling of the Hon'ble the Vice-Chancellor that the freedom of a large and autonomous body like the University should be safeguarded. Under the circumstances, is it asking too much that this deficit should be wiped out and the question of the conditions should be considered on their own merits apart from the question of deficits?

Rai HARENDRANATH CHAUDHURI: I move that this Council recommends to the Government that the supplementary grant of Rs. 2,50,000 sanctioned in July last be given to the Calcutta University without any such conditions as are mentioned in the annexure to the Government of Bengal's letter No. 1769-Edn., dated the 23rd August, 1922, to the Calcutta University.

I have too high a regard for the Calcutta University to crave any indulgence for it from unsympathetic hands. If I therefore move this resolution, I do so, to enter an emphatic protest against what appears to me a glaring instance of playing with the vote of the Council.

On the 11th July last, the Hon'ble the Minister in charge of the Department of Education demanded a supplementary grant of Rs. 2,50,000 for the Calcutta University. The Budget note explaining the necessity of this grant ran as follows:—

In a letter to Government, the Calcutta University has represented that the financial year 1921-22 opened with a debit opening balance of Rs. 1,48,055 and that it is anticipated that the total deficit in June, 1922, will be Rs. 5,39,480. The deficit is due mainly to the fall in the receipts from examination fees, etc. It is accordingly proposed to give a grant of Rs. 2,50,000 during the current year to the Calcutta University to meet the deficit.

Thus it will be seen, if language was not given to man to conceal his thoughts, that the grant proposed was an unconditional one and was designed to afford immediate relief to the Calcutta University faced as it was, with a deficit of about Rs. 5½ lakhs.

The "urgent" and the "imperative" necessity for a substantial grant to "save" the University "from ruin" was further explained by the Hon'ble the Minister in his introductory speech in the following words:—

I would appeal to the House to pass the grant; it is urgent and imperative that this grant should be passed. If you do not pass the grant, you will be incurring a very serious responsibility indeed Then the House will have to bear the responsibility of being charged by posterity of killing high education in the province. Starvation is staring Calcutta University in the face, and unless you make this grant immediately to-day, the consequences will be very serious. [Mark the word "to-day."]

Sympathetic words emphatically uttered indeed, but not a word was there about clogging the grant with any condition whatsoever. It may not be usual to lay bare any conditions in the budget, but is it taking the Council into confidence not to mention them even in the speeches explaining the circumstances under which a grant is proposed to be given? Not even in his reply to the critics of the University, does the Hon'ble the Minister throw out even the faintest suggestion of imposing any condition. Perhaps the situation then was not so ripe and the opposition required further organization. However, the impression left by his speeches was that he was eager—nay, anxious to help the University, to "save" it; and that all that stood between the Hon'ble the Minister and the University was the vote of the Council and that no sooner that would be given, the outstretched right hand of help would make over the grant.

But, Sir, appearances were deceptive. Not only the gestation period was further prolonged but "some fairy, sure, had changed the child," for a month and a half later what emerged from the secretariat nursery,

was not the unconditional grant conceived in this Council, but a changeling with ugly features. Anyone who was aware of the spirit with which the Education Department of the Government of India was worked during the last decade and its attitude towards the Calcutta University might almost perceive that with the devolution of the duties that spirit and that attitude also devolved on the Education Department of this unfortunate province.

The Secretary to the Education Department informed the University on the 29th August last— be it remembered here that the grant was voted by the Council on the 11th July—that—

> They will not be justified in handing over any grant until an assurance is received that effect will be given to the recommendations of the Accountant-General contained in the report referred to above. . . . and that certain conditions detailed in the annexure to this letter, will be accepted.
>
> As soon as an intimation is received to this effect, orders for the payment of Rs. 2,50,000 will issue.

And what were all these precious conditions? These are eight in number. These conditions have been given in detail by my friend, Mr. Dutt, and I do not like to quote them *in extenso* again.

The first question, that naturally arises in this connection, is, what was the occasion and justification for these apocryphal conditions—these after-thoughts? Even if it be granted that the Minister as a responsible administrator has inherent powers to impose conditions, still the exercise of such inherent powers must not be without sufficient reasons. But two reasons and two only have the Government been able to advance in the letter under consideration and let us proceed to examine these. The first is—

> That there was a strong feeling that it should be rejected—I quote from the letter—but that on an assurance being given by the Minister in charge of Education that the financial position of the University would be placed before Government and that the audit officers were about to make certain suggesions with regard to their finances, a sum of Rs. 2,50,000 was ultimately voted.
>
> Secondly, since then a report has been received from the Accountant-General, Bengal, and it reveals the fact that the financial administration of the University has hitherto been anything but satisfactory.

Now, the first statement when analysed will be found to contain a palpable misrepresentation and an evident misinterpretation of facts. For, I maintain, that neither did the Council call for nor did the Minister give any assurance on his behalf. He was more occupied, as it will be evident from his speeches, with defending himself as to why he could not accept the resolution of August, 1921, than with formulating any such conditions as appears in the Government letter. The only assurance that he referred to was the assurance that he got from the University that it was willing to place financial information before the Government and would not withhold them. No other assurance worth the name

was given by the Hon'ble the Minister and the assertion or suggestion in the letter to the contrary appears to me an instance of what may be called " terminological inexactitude."

Again, if the first statement means that the Council as a whole was opposed to the grant and voted for it only when the said assurance was given by the Hon'ble the Minister, then it must certainly be an unfortunate misreading and misinterpretation of the views and the vote of the Council. When no division was called and votes were not recorded, how could anyone exactly understand the views of the majority of the Councillors? Only eleven members of an assembly of 139 took part in the debate and of these again as many as six supported the grant without caring for any assurance from the Hon'ble the Minister. They at least were of opinion that the University should not be starved and should be helped forthwith, without any further hedging and fencing, to wipe off the deficit. Then, again, of the four motions for refusal or reduction of the proposed grant, one was not moved and another was put and lost The third motion for rejection moved by Mr. Fazl-ul Haq was entirely based on communal consideration and was eventually withdrawn. It had nothing to do with University finances and accounts, although Mr. Fazl-ul Haq may now be disposed to turn the financial conditions to account. Only Mr. Rishindra Nath Sarkar seized upon certain words of the Hon'ble the Minister and made a virtue of necessity by withdrawing his motion and thus avoiding a defeat How far this strategic retreat was the result of a prearrangement one could not be sure, but it must be remembered that he also did not think of a conditional grant but urged a very much different reason to refuse it altogether. The wish might in this case be the father to the thought. but certainly the statement that the Council voted the grant upon an assurance given by the Hon'ble the Minister and subject to a proviso, had no foundation in fact.

Next, the Government letter sought to make much capital out of the observation of the Accountant-General, that " the financial administration of the University was anything but satisfactory." The University has no doubt taken the earliest opportunity to controvert the proposition and repudiate the charge. But how the allegations and the report of the Accountant-General could be brought in when the whole question was the making over of the grant sanctioned by the Council, weeks before the submission of the Accountant-General's report, I, for one, fail to understand. Unless the object was to deprive the University of the grant—the invocation of the authority of the Accountant-General and imposition of undreamt of and undisclosed conditions can have hardly any meaning and justification. Why were not the University authorities asked to consider and explain the points raised in the Accountant-General's report before conditions were framed and imposed with reference to a sanctioned grant? The worst criminal has

a defence, only the University should not be allowed any opportunity to meet the charges levelled against it. Why? Because persons there are who are determined not to hear its defence—who would choose to condemn it unheard, and would eagerly seize upon a pretext to dictate terms to it and to control its administration and working. And insistence on humiliating conditions with a view to enter upon a war of conquest is not unknown in modern diplomacy.

But the conditions were not only unauthorized, and were imposed with indecent haste after an *ex parte* decision, as it were, but considered on their merits, they appear to be as frivolous as unnecessary and as vexations as impossible. To take them seriatim—

(*1*) The very first condition asks for a stipulation that "no further expansion involving financial responsibility will be undertaken by the University until their financial position shows an improvement." Yet that was the very assurance given by the University in its letter to the Government of Bengal, dated the 14th February, 1922. The letter definitely said, "the Syndicate desires to emphasise that this sum is not needed for new work to be undertaken; it is required to meet liabilities which have been already incurred, and could not be avoided." What point could there be in insisting over again on such a condition, no one outside the charmed circle of the secretariat can divine. Only frivolousness can account for it.

(*2*) Conditions (*ii*), (*iii*), (*vi*) and (*vii*)—they all relate to and demand the timely preparation of the budget—the frequent meeting of the Board of Accounts—the due preparation of the actuals of receipts and expenditure and the publication of the budget. There could have been some necessity for insisting on such conditions before, but now that the Senate has adopted the budget rules satisfying much, if not most, of these demands, there can be no point—no significance—at all in insisting on these demands. The budget rules adopted by the Senate, it will be seen, provide for the timely preparation of the budget, for the discussion and adoption thereof by the Senate before the commencement of the University financial year—for the supply of copies of the budget to the Governments of Bengal and Assam as well as for their publication in the *Calcutta Gazette*. These rules further provide for the periodical examination and scrutiny of accounts by the Board of Accounts as well as for the examination of any new scheme or increase of expenditure by the Board—the Syndicate and the Senate *before* any new or increased expenditure unprovided for in the budget is actually incurred. Although monthly accounts of income and expenditure are even now regularly prepared and submitted to the Syndicate yet the adopted budget rules provide that "a quarterly statement of income and expenditure shall be prepared by the Board of Accounts and submitted to the Senate for consideration." (*Vide* the University Government Grant Committee Report, page 73, rule 9.) If introduction of regularity and system in the financial administration of the University

and not the conversion of it into a department of the Government be the real object, I am sure, a careful perusal of the budget rules adopted by the Senate will prove that the University authorities intend to be more regular and systematic in those respects than the Government desire them to be. Under the circumstances all unprejudiced minds will urge the withdrawal of the said conditions.

Conditions (*v*) and (*viii*) only remain to be considered and it is impossible, Sir, to understand on what authority these conditions were insisted upon.

Mr. Dutt has not considered in detail the merits of these conditions and I propose to deal with them more fully.

Condition (*v*) consists of two parts. The first part requires that the separate accounts of separate funds should not be mixed up but kept separate. It is a highly controversial question indeed and proved to be so by the fact that in this matter at any rate the Government demand ran counter to the view of the Accounant-General whose report was made the very peg to hang the conditions on. Here at least the lip-loyalty to the Accountant-General evaporates. The authors of the University report (the Government Grant Committee), therefore, rightly observe that "while account officers are in favour of partial amalgamation at least, the Government of Bengal are in favour of complete separation." Under these circumstances the University has done quite the right thing in adhering "to what has been the method adopted by it ever since its foundation," and as against insistence on such a condition as has been proposed by the Government, the following remark from the said report is well worth quoting indeed:—

> We need not investigate whether their [i.e., the Government] view is well founded on logic; this much is beyond dispute that the system now advocated by them has not at any rate been followed by the Government themselves with regard to their transactions with the University.

If the Ministry of Education is not lost to all sense of humour, certainly, in view of this fact, it should do well to drop this condition now with a view to arrive at a satisfactory conclusion by maturer consideration and further discussion with the University authorities.

Now, let me examine the last condition, i.e., the eighth. The less said of it the better—

At this stage, the member reached the time-limit.

Mr. PRESIDENT: You had better come to the end of your speech.

Rai HARENDRANATH CHAUDHURI: The Council granted Rs. 2,50,000 to meet the deficit of Rs. 5,29,480 which did not include the examiners' remuneration amounting to Rs. 1,75,000. Yet the Hon'ble the Minister urged, in flagrant contradiction of the vote of the Council, that that sum must be paid out of the grant of Rs. 2½ lakhs! My submission to the Council, therefore, is that the grant of Rs. 2,50,000 be

given to the Calcutta University as unconditionally as it was originally given. Let not other people be the keeper of our conscience and read in our vote a meaning which is certainly not our own.

Mr. D. C. GHOSE: I move that this Council recommends to the Government that a committee consisting of non-official members of the Council and others be appointed to draw up a statement on the points arising in connection with the Report of the Government Grant Committee of the Calcutta University Senate, as well as the speech of the Vice-Chancellor delivered at the Senate meeting held on the 2nd December, 1922, and to advise the Government as to the action to be taken to deal with the situation generally.

Speaking here, in this House, last July on the occasion of a demand for grant to the Calcutta University I said that I felt embarrassed in saying what I had to say, because I found that any criticism of the affairs of the University, however legitimate, was regarded by some as a personal attack on the Vice-Chancellor. The sense of embarrassment I had then is present even now, but it is present, Sir, to-day on account of a different consideration. I feel that speaking about the Calcutta University in this Council is like carrying a lighted torch into a powder mazagine. The atmosphere is so surcharged with contending passions and conflicting sentiments that one cannot be too careful or circumspect in taking part in any debate regarding the Calcutta University. But, Sir, however difficult and embarrassing the position of the members of this Council may be, a situation has arisen which carries for us certain responsibilities, responsibilities which, I venture to think, we, as representatives of the people, cannot decline. Amid all the jarring notes of this controversy, one fact, one supreme fact stands undisputed and indisputable, and that is that the University must be saved. That is an object in which we are all equally interested, critics or no critics. And I venture to think, notwithstanding what has fallen from Professor Mukherji, that this Council headed by the Minister of Education is as equally anxious for the well-being of the University as the Senate headed by the Vice-Chancellor. That being so, Sir, it must be a source of pain to everybody that charges and countercharges of bad faith and bad dealing are so lightly bandied about. The only result of such acrimonious controversy can be to divert energy and attention from the real objects upon which they should be concentrated. Sir, two opposing cries have been raised. First, that the autonomy of the University is in danger; and the second, that the University must be made to put its house in order. Sir, it is assumed that there is an unbridgeable gulf, an irreconcilable divergence between these points of view. Therefore, the question that arises and merits our consideration is this—Cannot a formula be found which would reconcile these two divergent standpoints? It does not appear, at any rate it does not appear to me, Sir, that the possibilities of such a reconciliation have been seriously explored or

investigated. It has been openly asserted by the University that the Minister of Education is attempting to gain unauthorized control over the University. But is that so? I ask again, is that so? The Senate Committee have published a voluminous report on the subject of the Government grant, but with all respect to the illustrious authors of that report, I cannot help thinking that the attitude of Government has been wholly misrepresented. We cannot forget, we cannot afford to forget, that the Accountant-General submitted a very damaging report. That report cannot be lightly thrown aside. I find that the Senate Committee in the report which they have adopted, have made some criticisms dealing with some of the minor charges contained in the Accountant-General's report, but I do not see in that report any answer, any satisfactory answer, to the main or major charges. But that as it may, the position really is this: on the one hand we have a report drawn up by a very high and responsible official of the Government —an official, who is detached from everything and attached only to the fine tradition of the Finance Department, a report which is the result of a minute, close, searching examination of facts; we have that report on the one hand, and we have on the other, the Senate Committees report in answer thereto. That is the position. Now, Sir, in these circumstances, what is our duty? The Vice-Chancellor, in his famous speech at the Senate on the 2nd December, made an impassioned appeal for knowing the truth and speaking the truth. I venture to echo that appeal, and I say that the truth must be known, and ought to be known, and that is why I have ventured to suggest the appointment of a committee. Sir, the Government of Bengal owe it to themselves to take the public into their confidence and tell them how far the charges which have been brought against them by the Senate in their report are true and can be substantiated. Otherwise, I warn the Government that judgment is bound to go by default. I have no desire whatever to prolong this unfortunate controversy. It is doing nobody any good. But I feel and I am sure most of us here share that feeling, that the truth must be known, so that once the truth is known, a happy and lasting reconciliation may be speedily and satisfactorily brought about.

Babu RISHINDRA NATH SARKAR: I beg to move that this Council recommends to the Government that the rules regarding the financial administration of the University of Calcutta proposed by the Hon'ble the Minister of Education in his letter No. 1769 Edn., dated the 23rd August, 1922, to the Registrar of the Calcutta University, be strictly enforced before any money is paid out of the revenues to the University of Calcutta.

I urge that the rules for the administration of the finance of the University of Calcutta, proposed by the Hon'ble the Minister should

be strictly adhered to, not because I take pleasure in seeing the poorly-paid staff of the Post-graduate Department suffer chronic poverty, not because I like to see the further progress of the University retarded, but because I expect that if these universally accepted rules are strictly observed, the University will stand on a firmer basis. I wonder how members of this Council can suggest that the grant to the University shall be made without any condition, in the face of the adverse reports of the auditor. This is not the first time that such remarks have been made. The audit report of 1918-19 amongst other comments contains the following:—

The objectionable practice of incurring expenditure first and getting it sanctioned afterwards which was brought to the notice in previous reports continued during the year under audit.

The sum thus spent in 1918-19 in some of the instances amounted to over Rs. 31,000.

I have referred to this part of the report to show that the universal practice of expending money in accordance with the budget was not followed and that University authorities took no serious notice of the audit reports of the previous year.

I should here mention that the previous audit reports were not made by the present Accountant-General, who, like many of the active fellows of the University, has the disqualification of being brought up under the old régime.

The Government of Bengal having asked in 1921 as to when the replies to audit reports for 1917-18 and 1918-19 might be supplied the Syndicate passed the following resolution:—

Resolved, that the attention of the Government of Bengal be drawn to the fact that apart from the question whether audit reports shall be published as Act VII of 1921 had come into operation on the 27th March, 1921, papers relating to matters which had taken place at a time when the Bengal Government had no concern with the University should not have been published without the consent of the University specially as the comments of the University upon the reports had not been received.

Though the replies to the adverse audit report were not furnished by the University within three years still its authorities resent at the report being published without their kind consent. Though the financial management is most unsatisfactory and resulted in heavy deficit, for a large portion of which the Fellows of the University are responsible, yet they revolt at the suggestion of the universally accepted principles of dealing with finance on the false pretext of impairing their independence.

On the 11th July, 1922, Mr. D. C. Ghose drew the attention of the Council to the proceedings of the Syndicate which ran as follows:—

The Hon'ble the Vice-Chancellor made a statement on the present financial condition.

Resolved, that the Syndicate recommend to the Senate to sanction an overdraft to an amount not exceeding Rs. 2 lakhs on the Imperial Bank of India against the securities of the Khaira Fund.

Three days after this resolution the Syndicate resolved the following:—

The Registrar reported that under orders of the Hon'ble the Vice-Chancellor he had sent two cheques for Rs. 10,000 each to the Netherlands India Commercial Bank for purchasing German marks.

Resolved, that the action taken be approved and that the amount be debited absolutely against the Khaira Fund and such other funds, as may be determined hereafter.

Attempts have been made to explain away this speculation in German marks by saying that the action was taken to pay off the price of goods obtained from Germany: How far this explanation serves its purpose, I leave it to the members of this Council to judge for themselves.

If the Senate had only condescended to observe the simple rules which are ordinarily observed in the matter of framing and passing of budget in time and spending their money in accordance with it, then, I am sure these instances of maladministration of finances and such a heavy deficit would never have occurred.

Sir, the second and third parts of the audit report of the Accountant-General have been placed on the table to-day in answer to my question. They are still more damaging than the first. In one part of the report the Accountant-General says—

It may be noted here that the credit balance of Rs. 76,654 in favour of the post-graduate teaching, is the result of book adjustments whereby funds have been transferred from the fee fund to the post-graduate teaching fee fund, when there was no balance available from the fee fund. Ordinarily the fee fund should not show a debit balance, as transfers from that fund to other funds can only be permitted to the extent of the surplus available.

This gives an erroneous impression as to the true position of the two funds. I must here inform the Council that Mr. Ajoy Chunder Dutt's information about the cause of the deficit is wrong. The Accountant-General in the report, which has been placed on the Library table, concludes by saying—

(1) the post-graduate teaching is responsible for the total deficit of about Rs. 3¼ lakhs;

(2) this has resulted from the extension of the post-graduate department without any consideration of its resources; and

(3) the present financial embarrassment is the cumulative effect of over-expenditure in the post-graduate teaching branch. So Mr. Dutt is not correct.

Now, Sir, in the face of all these, it is beyond my imagination to understand, how the keepers of the public purse seriously recommend to make over the grant without any condition.

But the object of the whole show seems to me is nothing but playing to the gallery on the part of the Fellows. Immediately after the receipt of the Government letter proposing the present conditions, the

Senate suddenly awake to accept the rules recommended by their own Board of Accounts on the 17th of December, 1915, after a slumber of about seven years. And, after all, what are these rules? They are almost identical with those proposed by the Government. Then, why did not the Senate accept the conditions which they themselves have adopted? How does the alarm of "slavery on one hand and money on the other" come in?

Now the conditions about the publication of the budget and its sale to the public, apart from the question of precedent elsewhere, have become necessary under the circumstances created by the University authorities. The resolutions about the administration of finance are so worded that they naturally create an anxious desire on the part of the public to understand the meaning underlying them. I have already quoted the resolution about the purchase of German marks and I will place another which was once reproduced in this Council. On the 25th November, 1920, the following resolution was passed:—

The Registrar made a statement on the state of cash balance on this date and reported the steps he had taken to arrange for payments during the remainder of current month and December.

Resolved, that the action taken by the Registrar be approved, that the proposal contained in the letter of the Bank of Bengal, No. 26798, dated the 12th October, 1920, be accepted, that the Registrar be authorized to make necessary endorsements, and that a copy of this resolution be forwarded to the Bank with the countersignature of the Hon'ble the Vice-Chancellor.

This is another sample of suspicious resolutions, but as soon as a member of this Council asks for any information, the University authorities reply that "no information as to the finances of the University which is not contained in its published proceedings will be supplied by the University for publication."

The publication of the budget of the University is of utmost importance to the public. If the budget of the Government and that of the Corporation of Calcutta are easily accessible to the public, then what objection can there possibly be for the Calcutta University in publishing its budget?

The University authorities have, as a matter of fact, accepted all the conditions proposed, after the receipt of the letter of the Government. They have on the 16th September, 1922, adopted the rules for the management of finance which are almost similar to those proposed in the letter. They have published their budget in the *Calcutta Gazette*, they have paid off the arrears of salaries of their staff and the arrears of examiners' fees, and they have appointed a Committee of Retrenchment instead of further expanding their activities now.

Having given effect to almost all the conditions proposed by the Government, why should they create so much noise in the name of freedom and autonomy? Why should they not say plainly and openly that the conditions are sound and reasonable? Why should they not

admit that the observance of these conditions would only free the financial administration of the University from adverse criticism? Instead, they have raised a hue and cry to enlist public sympathy—they are trying to regain the lost confidence on the cant of freedom. This talk of freedom on the part of the Fellows seems to me too much protesting. The freedom of the Senators is an open secret.

Sir, by this cry for freedom raised in connection with this question, the public, particularly those members of the public who take keen interest in the University affairs, will not be mislead. They know how their honest criticisms were despised. They know that their just grievances were contemptously treated by saying "they have said, what they say, let them say." The honest critics, they know, are stigmatized as "the fleeting spectres of humanity" bent upon maligning and to stabbing the University in secret. The public are aware who has brought the premier University of India on the verge of bankruptcy. The University authorities disregarding the warning of the outgoing Vice-Chancellor, Sir Lancelot Sanderson, has brought about the heavy deficit and has thus goaded the Government to propose the conditions which the Senate have themselves accepted after they have been proposed. The conditions, if accepted, will not give any additional powers to the Government which it had not, but the conditions, if given effect to, will save the great institution from ruin, and at the same time the due observance of the conditions will enable the public to keep a vigilant eye over the financial management of the University.

I can assure the members of this Council that the public have in a way approved the conditions proposed by the Government. The University authorities headed by Sir Prafulla Chandra Roy appealed to the country but the country has turned a deaf ear to the appeal proving thereby that when their money, whether from the coffers of the Government or direct from their own safes, are to be paid, conditions like those suggested by the Government should be observed. Sir Prafulla Chandra Roy's appeal for funds for the North Bengal flood was promptly responded to but his repeated appeals for funds for the Calcutta University under the present circumstances, made no impression on the public. We are the custodians of the public purse and we should move very carefully in this matter.

An impression has been created that the Legislative Council did not vote the grant annexed with conditions, hence the Minister has no power to propose conditions. Whether the Hon'ble the Minister had any authority or not it is his duty to defend himself. But if the Hon'ble the Minister on the other hand, had paid the grant to the University without taking proper safeguard, I of all persons would never have approved of the action of the Minister. There were ample indications given during the debate which justified the Minister apart from his inherent powers, if any, to attach conditions to the offer. The members of this

Council are aware that on the assurance of the Hon'ble the Minister, Mr. Fazl-ul Haq and my humble self withdrew our amendments recommending the refusal of the demand for the grant in July, 1922. It is not true that in order to avoid a defeat I withdrew my amendment as Rai Harendranath Chaudhuri has said.

I must say that I perfectly agree with the Senate that the Government should have made a grant to the University sufficient to wipe out the deficit and to leave a decent surplus. I agree that a recurring grant for the cause of higher education of the people should be made out of their own revenues. But I must confess that I do not agree with the attitude with which the University authorities are carrying on the propaganda. They are abusing the honest critics and have made most scurrilous attacks on the members of this Council.

Mr. PRESIDENT: You have exceeded your time-limit. If you have not much to say, I allow you to conclude your speech.

Babu RISHINDRA NATH SARKAR: Thank you, Sir.

I do not approve of the hints underlying the following lines of their report:—

The Accountant-General does not state that the University funds have been misapplied or misappropriated—there have been no cases of inflated salaries, comfortable hill allowances, or unauthorized travelling and halting charges.

In conclusion I must say that the object of my resolution is to enforce the popular wish in a constitutional way and hence I commend the resolution for the acceptance of this Council.

Babu KISHORI MOHAN CHAUDHURI: The resolution that stands in my name is rather a lengthy one, and it runs as follows:—

"This Council recommends to the Government that the Senate of the Calcutta University be invited to depute four representatives, including the Vice-Chancellor, to form a joint committee with four representatives of this Council including the Minister in charge of Education, with a view to settle a definite line of action as regards the reconstruction of the University and the other controversial questions raised in the several reports of the committees appointed by the Senate upon Government communications and in the debates of this Council on the Calcutta University matters this year, and that His Excellency the Governor, as Chancellor of the Calcutta University, be approached, when this is agreed to by the Senate, to preside over the deliberations of this committee, and that, pending the final determination of the line of action by the said committee, the sum of Rs. 2,50,000 granted in July last be made over and a further sum of Rs. 2,83,516 be granted and paid to the University to enable it to clear off its debts as shown in its sanctioned budget for 1922-23."

I may now explain the situation. In July last when the question of this grant to the University was brought up in this Council, I supported the proposal. The Hon'ble the Minister made certain observations when discussing the budget in the annual debate in March last and they were taken exception to by the University; but the Hon'ble the Minister was very sympathetic in the July meeting and he recommended that the grant should be made and we supported him in that proposal. The question, however, is not of the grant of Rs. 2,50,000 or Rs. 5,39,000 as raised in to-day's debate. The real question is what is to be done in this matter; how is the University to be reconstructed? The question is not a new one. When the University was under the Government of India a Commission was appointed and an eminent expert was brought from England to preside over it; the Vice-Chancellor and the Director of Public Instruction were also members of this Commission. They recommended that a reconstruction was necessary, but, unfortunately, their recommendations were not given effect to because they were on such an extravagant scale that it was beyond the power of this Council to accept them. So we are not in a position to carry out the recommendations of that Commission. In July, 1921, the question was raised at the instance of my friend, Babu Jatindra Nath Basu, that the reconstruction of the University ought to be taken up and he brought forward certain proposals as to how the University should be reconstructed and carried on. At that time or near about then, much discussion was going on in the public press and some unfavourable remarks were passed on the working of the Calcutta University. Thereupon, a further question was raised, so far as I remember in August, 1921, I believe, at the instance of Babu Rishindra Nath Sarkar who proposed that, if any financial help was necessary for the University, no substantial grant should be made without making a sifting inquiry as to the working of the University. That was the gist of his resolution. Some time in November, 1921, another question was raised. The University proposed that the registration fee of graduates should be raised from Rs. 2 to Rs. 5. This Council refused that proposal. In reviewing the situation of the University, the Hon'ble the Minister for Education remarked in a general way upon the working of the University. The question of the reconstruction of the University, and the reasonableness or otherwise of the remarks of the Hon'ble the Minister led to the formation of several committees by the University to review the whole situation. In intimating the grant of Rs. 2,50,000 the University authorities were asked to act according to the suggestions laid down in the letter. The University took up an attitude of opposition—not at all a reasonable attitude. They said that the Bengal Council was not reasonable in not accepting their recommendations for raising the fees and that the offer of Rs. 2½ lakhs on certain conditions was an encroachment upon their rights and that the position of the University was such that the reconstruction question could not be decided

off-hand. What is to be done under these circumstances? We see that they are in heavy debts and that they are prepared to beg from door to door to make up this deficit instead of coming to the Government for any help. It is a very unfortunate situation. If the question were for the payment of a few lakhs of rupees only, I would have advised the Hon'ble the Minister not to be very particular about the objection of the University if they thought that we were really encroaching upon their constitutional rights. Without caring much about it, let us help the institution so that they may be out of their debts. There is a desire not only on the part of the authorities, but also on the part of several individual members of this House that the University should be put on a democratic basis and some improvement should be effected, if not to the fullest extent as recommended by the Sadler Commission, at least, as far as possible, to some extent. In the Reformed Government we have lost a very heavy sum earmarked for the special development of education. I think it is a sum amounting to Rs. 98 lakhs or so and the Education Department lost it under the new arrangement of finances. If we could save that amount, I think much relief could be given easily and much could be done for successfully managing the affairs of the University. In March last year, though there was a desire on the part of the Hon'ble the Minister of Education to meet the demand, yet he could not do it for want of funds. When we could pay something we made an offer, but, unfortunately, the University took a defiant attitude which is very unfortunate no doubt. I am not one of those who would like to advocate a trial of strength between the University on the one side and the Executive Government on the other. Men in the Education Department are naturally rather sensitive in their dealings with the practical side of the worldly affairs. If they are so, let us relieve the situation by not insisting upon the strict adherence to the terms. Let us help them, though we are the custodians of the public purse, though Education is a transferred subject, yet we should be liberal. Let them have the money and save the situation for they accepted all the recommendations imposed though they did not accept the money. Something more ought to be done. Let there be a committee. Let the University——

Mr. PRESIDENT: You have reached the time-limit, but you can finish your sentence.

Babu KISHORI MOHAN CHAUDHURI: Let the University elect four and the Council four. Let the Education Minister be one of the four and the Vice-Chancellor should also be on the committee. His Excellency the Governor who is the Chancellor of the University, is to be the President of that committee and in the meantime to save the situation, let us pay the whole amount to meet the deficit.

The following resolution, standing in the name of Maulvi A. K. Fazl-ul Haq, was, in the absence of the member, deemed to be withdrawn:—

"This Council recommends to the Government that none of the conditions imposed by the Hon'ble the Minister on the grant made to the Calcutta University be modified without the formal consent of the Bengal Legislative Council."

Rai UPENDRA LAL RAY Bahadur: With your permission, I move the resolution standing in the name of Babu Annada Charan Dutta. The resolution runs thus:—

"This Council recommends to the Government that the sum of Rs. 5,50,000 be granted to the University of Calcutta to make up its deficit, without any conditions except those laid down by the University Act and Regulations regarding expenditure and account, and that a sum for annual grant to the University be fixed in consultation with the University authorities with an express understanding that the same will be accounted for to the Government, and that it be understood that the University shall not ordinarily get any sum beyond the same."

In this fight between a tiger and a buffalo it is very difficult to say what party to stand by. The struggle has assumed such proportions that in the interests of the country the fight should no longer be allowed to continue. On the one hand there are suggestions that the debts of the University should be wiped off without any conditions whatever. On the other hand there is the recommendation for scrutinizing and checking the accounts of the Calcutta University before any grant is made. The Hon'ble the Vice-Chancellor, confident of his influence and personality, ignores all the conditions and wants that the grant be made without any restriction.

It appears that no party has been able to meet the other in regard to the sentimental part of the whole affair. This resolution aims at the solution of the problem and protects the interests of both sides. It suggests that the debts of the University should be wiped off and there should be no conditions except those laid down by the Rules and Regulations under the Universities Act. It also suggests that for future guidance it should be distinctly understood that no grant should be made without necessary conditions being imposed. It will be seen that the resolution protects the University as well as the State. I therefore do not see why we should not agree to this resolution. The University is in debts and unless the same are now wiped off the University would be in a very perilous position.

The Hon'ble Mr. P. C. MITTER: I must confess I feel a good deal of difficulty in really understanding this unfortunate controversy. I say I feel difficulty in appreciating the issues of this unfortunate controversy, because it seems to me the question is one which, given the

necessary good-will, can be settled, ought to be settled, and should be settled, by a discussion round the table for 15 minutes and certainly not more than half-an-hour. If, instead of sending a ponderous report like this to be examined with all the circumlocution of a Secretariat Department, the University had made up their minds to meet either myself or Mr. Roy or Mr. Hornell, we could have discussed and come to some conclusion within a short space of time. Sir, after all what is the reason for this controversy? What is the basis for this acrimony? I am glad to say that no acrimony has been displayed in this House and the present has been the best debate on the subject so far. But, unfortunately, there has been a certain amount of acrimony outside the Council. What is the basis of this? It has been asserted that it is the object of the Ministry of Education to take over the control of the University. I repudiate that suggestion with all the emphasis that I can command. It is my unfortunate duty to discharge my responsibility to the members of this House and through them to the taxpayers of the Province. If I pay money to any institution—never mind whether that institution be the University of Calcutta where the flower of Bengal is to be found or that institution be a simple primary school managed by villagers—it is my duty if I pay one single rupee of the taxpayers' money, to see that that rupee is well spent, properly spent, and that business methods are observed in the management of the institution so that if I am called to account, I can render a good account of the money. Now, Sir, that is the reason which actuated me to impose certain conditions. Assuming for the moment that all the arguments of some of my hon'ble friends who spoke against me and on the opposition side are correct, what is the best way of settling the question? Certainly not by a full-dress debate of this House but as practical men we should discuss it round the table without passion or prejudice and keep the issues quite clear before us. So far as I am concerned, and so far as every responsible officer of my department is concerned, we are quite willing to settle this matter in this way. Let the Hon'ble the Vice-Chancellor fix a time and do me the favour and honour of calling on me at my office—let him come to-morrow if it suits him—I shall with the greatest pleasure discuss and come to a settlement with him. If the Vice-Chancellor cannot find any time—for in spite of his great love for the University he has other occupations—let him send two or three members of the Senate or of the Syndicate to discuss this question, and I undertake, given the necessary good-will, to settle the thing within half-an-hour. I must, however, strongly deprecate the methods that have been adopted in this matter. I say that these methods are not the right methods. But I do not want to pursue that point, lest I give offence and I am anxious to avoid giving offence.

I would like to place before this Council what, in my view, the function of the Council is in a matter like this, I think, Sir, it is well

known that it is not the duty of any Parliament or of any Legislative Assembly to administer. If any one would turn to any elementary book on the subject, even Ilbert's Elementary Book on "Parliament," will give him this information. In that book he will find the following passage:—

Parliament does not govern. Parliamentary government does not mean government by Parliament. Once and once only, in the course of English history has the House of Commons attempted to administer the affairs of the country through Executive Committees, and the precedent set by the Lang Parliament has not been followed.

That being the position many of the resolutions which we have before us, if their object be only to advise Government, are quite proper but if their object be to take over the administration from the Administrative Department, I submit that the attempt is to follow a course which must be condemned. This preliminary observation of mine has an important bearing on some of the criticisms that have been made. For example, it has been stated that this House voted Rs. 2,50,000 without any condition and why did the Minister impose any condition? Apart from the preliminary answer already given I have good and substantial reasons to meet their criticisms. Assuming that this House did not impose any condition it was my duty to see that the money voted by this House was well and properly spent, and that business methods were observed. To attain these objects it was my duty to satisfy myself that reasonable and proper conditions were imposed. It is perfectly true that in the resolution itself there was no condition, nor could there be any conditional grant passed by any House but anyone who would follow the debate would be satisfied that the statement made in the opening lines of the letter of the Secretary to my department was perfectly justified in spite of expressions like "terminological inexactitude" being used in this debate. The position was this. I made two speeches, one the opening speech, and the other the concluding speech, in connection with the demand for this grant of Rs. 2,50,000 for the University on the 11th of July last; and in my opening speech I made two points. I said that since the matter was debated last time the position had changed in two respects. I said—

The University has also informed the Government that it is willing to place financial information before Government. When the University is willing to place all its financial affairs before the Government, the House will have an opportunity of dealing with the question on its own merits. This decision of the University to place its financial affairs before the Government was first arrived at by the Syndicate and has subsequently been confirmed by the Senate. Further, there is another very important aspect of the question, to which I desire to draw the attention of the House, namely, the auditing of the accounts of the University. The auditing of the accounts up to June, 1922, is, I am told, almost ready for submission before Government.

My second point was this—

I further understand that the audit officers propose to make certain suggestions about the current year's accounts as well. It is with the current year's accounts

that we are more concerned than with the past year's. Now, first of all, the University has promised the information we want; and in the next few days I shall have important information from the officers of the Government. Therefore, I would appeal to the House, since they have waited so long, to wait a little more. I would appeal to the House to pass the grant; it is urgent and imperative that this grant should be passed.

Then, Sir, in spite of my appeal, strong criticisms were made and amendments for rejecting the grant were moved and in my concluding speech I said—

Since then, an important change has taken place, and I have already informed the House of that change. We have been assured that the University will not withhold its financial affairs from the Government. That goes to the root of the whole question.

I may inform the House and the House itself will remember that this withholding of information was one of the matters that caused great resentment in the House against the University. Some members of the House were under the impression, rightly or wrongly, that the University was unwilling to place financial informations before this House. That goes to the root of the whole question. I also said—

I really hope that after this assurance of the University to which I referred in my opening speech, the House would be spared many of the arguments which, if I may say so without offence, were entirely irrelevant. This assurance I could not give in August, 1921, or on the 1st March, 1922. Well, if the University places all its financial affairs before me, I, as Minister responsible to this House for the proper administration of the Education Department, which is now a transferred subject must place before you such of the information relating to those affairs as I consider relevant.

Then I also stated this—

I will not enter into the debatable question of law, but it is common sense that if the University or, for the matter of that any public body wants money from State coffers, then the representatives of the people and the Government responsible to those representatives are entitled to look into the accounts of that body. I may mention here that the great Universities of Oxford and Cambridge never took any help from the State coffers, but on account of the war owing to unfortunate circumstances these great Universities had to ask for State help. And when they asked for State help they had to accept the appointment of a Royal Commission and their affairs were fully investigated; they have estates from which they derive large income and the affairs even of their estates were fully investigated. Before a Minister could convince the Parliament that State grant was necessary, in the first place, it was necessary for the Minister himself to be convinced and, in the second place, it was necessary for him to convince the representatives of the people. It is, therefore, necessary that materials have got to be furnished and I must submit the relevant portions of such materials to the House.

Now, what was the position? The position in short—you may raise hair-splitting points in the course of argument—was this, and I am sure that the members of this House who were present on that occasion will bear me out when I say that there was a great feeling in this House against this grant. I will not again enter into the rights and

wrongs of that feeling, except reminding that one of the reasons for the existence of this feeling was that the University, it was supposed, was not willing to place its financial affairs before this House, and this House thought that if we made over the money—and some of the members actually criticised to that effect—not Rs. 2½ lakhs, but even twice or thrice that amount, the deficit could not be wiped off as they felt the University would go on spending money beyond its resources. That being the position, Sir, I say that in point of substance the condition was practically an understood one, but I quite agree with my hon'ble friends, Rai Harendranath Chaudhuri and Mr. Ajoy Chunder Dutt, that there was no such condition for the simple reason, according to my judgment, that there could not be a conditional budget grant, but even if some members of this House, after reading the whole debate, come to the conclusion that there was no condition, I, as Minister, for reasons I have already explained, am bound to be satisfied that the money is properly and well spent and that business methods are observed.

Now, Sir, I desire to place a few facts which will enable the House to form their own judgment, although I have already submitted that this is not the proper place to investigate questions of accounts and facts, but since hon'ble members on both sides of the House have thought fit to go into the matter, let me place before the House a few facts showing the general position. Now, Sir, in the Accountant-General's report, which is available to members of this House in the form of a very useful blue book, published by the University in spite of the shortness of their funds and distributed amongst the members of this House, at page 170, hon'ble members will find that the University had Rs. 4,04,117 belonging to various earmarked and Trust Funds. Every rupee of these earmarked and Trust Funds has been spent—even amounts like caution deposit money to the extent of Rs. 7,150 have been spent; paltry amounts like the Sir Guru Das Memorial Fund of Rs. 3,339 have been spent. This discloses a very serious state of affair. It discloses the fact that a body like the University where we have got the flower of Bengal must have been so hard-pressed for money as to be compelled to spend Trust Funds and earmarked funds to the extent of Rs. 4 lakhs and odd. Not only was it necessary for them to spend the whole of the Trust Funds and earmarked funds but they had actually a debit balance in the Imperial Bank of India on the last day of that official year, namely, on the 30th June, 1922—the University official year closes on the 30th June—they had actually a minus balance of Rs. 1,171. Not merely that. On the last date of that official year, according to the report of the Accountant-General, they had to meet outstanding demands to the extent of Rs. 2,97,462. It shows that it was necessary for the University not only to spend every rupee of those Trust Funds and earmarked funds but it was necessary for the University to get Rs. 1,171 from the Bank as overdraft. The University was not in a position to pay salary bills, examiners' remuneration to the extent of Rs. 1,75,000 and various other

items the sum total of which was Rs. 2,97,462. Therefore, Sir, as the Accountant-General correctly points out in the next paragraph, the deficit of the University is not Rs. 5,42,000 as is commonly supposed, but the deficit of the University is really Rs. 4,04,117 plus Rs. 2,97,462 plus Rs. 1,171, the debit balance at the Bank of Bengal, that is a total of Rs. 7,02,750. A sum of Rs. 5,42,753 has been arrived at by the Accountant-General in this way. The Accountant-General points out that out of the Rs. 4,04,000 of earmarked funds there are funds in which Government as well as other people are interested, and if the University be allowed to write off those funds then the deficit will come to Rs. 5,42,753, but the Accountant-General further points out that there are funds included in the Rs. 4,04,000 which the University cannot write off. Therefore, it is important for the House to remember that the total deficit is not Rs. 5,42,000 and odd, but Rs. 7,02,000 and odd and that makes the position more serious. The Accountant-General goes on to point out as to how this huge deficit was accumulated and on page 173 of this very convenient blue book for which I again thank the University, the hon'ble members will find that in the year 1918-19 the University had a deficit of Rs. 38,000; in 1919-20 they had a deficit of Rs. 1,77,000; in 1920-21 they had a deficit of Rs. 2,08,000, and in 1921-22 they had again a deficit of Rs. 50,000. Now, Sir, my short answer to the suggestions of some of the hon'ble members that the University came to grief for no fault of its own, is that if the University watched their financial position they would not have come to grief. There was a deficit in 1918-19 of Rs. 38,000, why did they allow that deficit to increase to Rs. 1,77,000 in the following year? No practical body of men would do it. But as I said on a previous occasion, I do not for a moment question the motive of the University. Actuated by the highest and noblest of motives, namely, the expansion of education, specially higher education, their judgment got the better of their discretion. They expanded, and as Professor Mukherji rightly observed, they expanded because knowledge has no limit. In their enthusiasm they forgot the hard and dry facts of the world. They forgot that without money mere enthusiasm will not carry them long; and forgetting that there is such a thing as sound financial administration, forgetting that there is such a thing as sound business method, they allowed their deficit to rise from Rs. 38,000 to Rs. 1,77,000 and again to Rs. 2,08,000 when they brought it down to Rs. 50,000. I quite admit, as does the Accountant-General, that some portion of the huge deficit is due to that unfortunate, and mischievous movement, the non-co-operation movement amongst the students. For that nobody holds the University responsible and least of all I do not. But their deficit is Rs. 7,02,000 and if we allow Rs. 3 lakhs to the credit of that pernicious movement, still there remains a deficit of Rs. 4 lakhs and odd, which is due to want of forethought on the part of the University authorities. I hope the University authorities will not take any offence if in the discharge

of my duties I have to describe their action in this matter as disclosing want of forethought. Now, Sir, how did it come about? The Accountant-General has stated how it came about on page 171 of the blue book and also on page 174. Shortly, Sir, it came about in this way. There is a certain regulation under which the University can for its post-graduate studies get one-third of the Fee Fund and under clause (*d*) of that particular regulation the University can, with the consent of the Senate, set apart a further sum from the Fee Fund. One-third of the Fee Fund brought the University a net income of more than Rs. 2 lakhs a year. As regards further sums under clause (*d*), of course it is pretty obvious that the Senate could not transfer unless there was money in that Fund, but the Accountant-General points out that although the debit balance of the Fee Fund was Rs. 3,63,000, time after time the Senate actually transferred moneys from the non-existent Fee Fund to the Post-graduate Fund. One of two things must have happened; either the Senate took the Syndicate on trust and did not inquire into the actual state of the Fee Fund, or a difficult psychological problem presents itself to one's mind, namely, how could a responsible body direct the transfer of money from a fund which had a debit balance and add to the credit side of another fund with an already existing credit balance. The actual position is that the Fee Fund on the last date of the official year shows a debit balance of Rs. 3,63,000 and curiously Post-graduate Teaching Fund, which owes its existence to the transfer of money from the Fee Fund, shows a credit balance of Rs. 76,000 and odd. We have a number of business men in this House. I put it to the business men of this House that if their managing agents carried on their affairs in this way, what would be the position? I appreciate that the University is not a business concern, that the University is mainly a place for advancement of learning, but even advancement of learning you cannot successfully carry on unless you pay some regard to business methods. Now, Sir, the Accountant-General has pointed out further that budgets were very often not prepared till almost the whole year was out; that moneys were paid out without budget provision, that orders were placed by persons who had no authority to place orders. I think, I may say with the utmost confidence that even those who are wedded to the policy adopted by the University, namely, the policy of expansion, although they had no money, will admit that want of proper business methods is ultimately likely to lead the University to ruin.

Now, Sir, another difficulty was this. Apparently they never compared their actuals with their budget estimates. If they had done that, I fail to see how they could sanction money being spent, because the actuals would have at once told them that there was no money. Well, to most of these points in the closely printed pages dealing with the Accountant-General's report in reply to the letter from the Government I do not find any mention. The University has thought fit to print this

book consisting of 182 pages and it has devoted a special chapter on the report of the Accountant-General consisting of about 27 pages. The Accountant-General has, as every one expects from him, made his points systematically paragraph by paragraph. If the University had followed the system of the Accountant-General, then one could have found out at a glance what point had been answered and what point had not been answered. They did not follow that system, they made general criticisms about the report. I and the officers of my department spent hours and hours together to satisfy ourselves as to how the University answered the points in the Accountant-General's report and I must confess we had considerable difficulty in finding out specific answers to specific points. Even if it were possible for Government to pay not Rs. 2½ lakhs, but say, Rs. 15 lakhs from their depleted coffers, if the University declined to follow business methods, they will have to come to us for help again. If they follow business methods, they will be able to find out what is going wrong. They want autonomy for the University; I also desire that the University should have autonomy, and because I want them to have autonomy I suggest that business methods should be adopted by them.

Here the Council adjourned for 15 minutes.

After the adjournment.

The Hon'ble Mr. P. C. MITTER: I was going to say when the House adjourned that it is because I value the autonomy of the University that I am so anxious about good financial management of the University. It is because I value the autonomy of the University that it hurts me when I find my University going with the beggar's bowl from door to door and then coming back disappointed; it hurts me when I find that my University has brought itself down to a position that has necessitated most acrimonious debates in the Legislative Council and elsewhere. If business methods were followed, if there were scrutiny of accounts, then I am sure, in spite of its anxiety for expansion, the University authorities would have kept themselves within bounds. Now, Sir, the Accountant-General, both in his original report and in his subsequent letter, dated the 3rd of January, has pointed out that the University authorities promised that Rs. 12 lakhs would be quite enough to carry on the activities of the Post-graduate Department. From the one-third of the Fee Fund, the Accountant-General points out, they had Rs. 2 lakhs and more, but as a matter of fact, if they had spent even up to a figure of only Rs. 2½ lakhs a year, then it would have been possible for them to keep within their bounds; they have been spending far more than that with the result that, as has been pointed out on pages 177 and 178 of the report, they have overspent to the extent of Rs. 6,76,000 on this head alone.

Now, Sir, an examination of the general position will, therefore, show that the University has been spending more than its income, that the University did not frame budgets in time, that the University did

not compare its actuals with its estimates, but the examination of this general position has got to be considered along with the conditions imposed and along with the points made by some of my hon'ble friends, and with your leave, Sir, I shall deal with some of the arguments of Mr. Ajoy Chunder Dutt. When I deal with the arguments of one of the members, I hope the House will not expect me to deal with the arguments of other members at any length because it is inevitable that some of them must have covered common ground. Mr. Dutt said that the deficit was due not to thoughtless expansion but because of unforeseen circumstances, namely, loss due to the non-co-operation movement. I have already dealt with that point and I have shown that the deficit being a deficit of Rs. 7 lakhs and odd and the admitted loss due to non-co-operation movement being only Rs. 3 lakhs, the non-co-operation movement cannot be held responsible for the whole of this deficit. Then he said that questions leaked out and that resulted in a deficit of Rs. 60,000. There are answers to this argument, but I do not desire to tire the House with them. I will make a present of that Rs. 60,000 to my friend. Even then there will be a deficit of about Rs. 3,40,000. Then he says that new Universities were started. Well, it is undoubtedly unfortunate for the Calcutta University's finances that new Universities were started, but when the new Universities were started, should not the Calcutta University have realized that its income would become less, and if it realized that, then, however difficult it might have been, should it not have attempted to cut down its budget in time and kept its expenditure within its income?

They ought to have cut down their budget; they had no other alternative. They blame the Government on the other hand. Most of the criticisms is against the Government of India because the University only recently came under the Government of Bengal, but assuming that the Government of India did not do their duty, assuming that the Government of Bengal did not do their duty, was it right to go on spending money when they knew that they had no money? The very argument of Mr. Dutt shows that my criticism is justified.

Then Mr. Dutt dealt with the various conditions and I propose in a minute to deal with those conditions, but before I do so, may I point out to the House that apart from my duty as a Minister to see that the money that I hand over to a body is properly administered I have a further duty in the matter of the Calcutta University? The Calcutta University Commissioners, an eminent body, which included amongst others my esteemed friend the present Vice-Chancellor of the Calcutta University, in their report in Chapter XXVIII said—

The position of the provincial universities in India and elsewhere like the Calcutta University is very different from the position of other universities in England or elsewhere.

They also said—

The relations between the Government and universities here are more intimate and more complex than elsewhere.

May I, Sir, with your leave, quote a passage from Chapter XXVIII, Volume III, paragraph 1?

For these relations, namely, the relations between the Government and the universities, are more intimate and more complex than is the case in most other countries, just because, since the very beginning of the development of western education in India, its ultimate guidance and control have been largely in the hands of Government, and the directions which its development has followed have been in a great degree due to the policy and acts of Government.

Yet in another place they say—

. . . . the whole system of education of which the University is the crown is an essential element in our survey.

Mr. AJOY CHUNDER DUTT: May I ask from what page the Hon'ble the Minister is reading?

The Hon'ble Mr. P. C. MITTER: It is Volume III, paragraph 1, Chapter XXVIII, page 223. Indeed it is obvious to anyone as to what is the position of the Calcutta University with relation to the educational institutions of this province. On the well-being of the Calcutta University, on its proper administration, depends the well-being of almost every educational institution in this province, every arts college, every science college, private and Government, every high school, in fact the whole system depends on it and that is what the Commissioners have pointed out. The Commissioners then say—

. . . . the provincial universities were all established by Government action.

They go on to say—

For that reason they have been from the first not independent corporations of learning, but bodies mainly nominated by Government, wielding defined powers which were delegated to them, and subject to constant supervision by Government.

That was how Sir Asutosh Mukherji spoke when he was in the company of Sir Michael Sadler, my esteemed friends, Mr. Hornell and Mr. Hartog, and others. Only the other day, he, no doubt, carried away by the passion of the moment, said freedom first, freedom second, and freedom for ever. I can well understand that he feels very hurt. I sympathize with him as deeply as anybody can sympathize, but I hope and trust he will believe me when I say that the duty which I have to perform, the very unpleasant duty I have to perform, is not actuated by any personal dislike towards him, but because of the demands of duty—my duty to this House, my duty to the taxpayers of Bengal, demands that I must fearlessly do what I ought to do. Let me once more assure him (unfortunately he is not here) that I am always willing to extend my hand of good fellowship to him, I am always willing to appreciate his difficulties, but let him appreciate mine. Let the University authorities remember that with a depleted purse it is not possible for the Government to pay any money they may choose to demand, although the demand is backed by assertions that unless we pay the money the University will have to be closed down. It is because I propose to exert my utmost to see that

the University shall not be closed down that I have to follow this unpleasant course. Even now, I hope, that that great educationist will yet see that passion ought not to carry him to the point of destruction of the object of his great love and affection. If he sees that I assure him once more through you, my friends here, that I shall try my best to remove his difficulties.

The University Commissioners go on to say at the next page that 51 per cent. of the total non-fee revenue of the Calcutta University comes from endowments, 48·4 per cent. from Government grants. Of the total non-fee revenue of all the teaching institutions of University rather 87 per cent. of the income come from Government grants and only 13 per cent. from other sources, and lastly, if the fee revenue be taken into account, then 39 per cent. of the whole is paid by Government, 52 per cent. from fees and 8·2 per cent. from other sources. They go on giving a number of reasons as to why the relations between Government and University ought to be very intimate, and in point of fact, are very intimate, and on page 226 they say—

> With few exceptions, however, our correspondents admit the necessity of some Government supervision over university policy. Those who wish to make the universities entirely autonomous are in a small minority.

This is an additional reason why I, responsible for due administration of every educational institution of this province, am anxious to see that the Calcutta University be extricated from its present financial difficulties. Financial ruin of the Calcutta University will mean the ruin of many educational institutions.

There is one general argument which I desire to bring to the notice of the House at this stage. It has been said with regard to some of the conditions that although the University is not willing to accept some of these points as conditions yet they are willing to submit to them of their own accord. Their objection is to the imposition of these conditions from an outside authority, namely, the Government; but they have, it is asserted, carried out some of these conditions. If I can really be satisfied on this point much of my anxiety would be relieved. After the Accountant-General's report was thoroughly examined by the University, after the letter of Government was replied to by the University, in the budget which they very recently passed in September, 1922, I find they are still following their old plan, and I was almost going to say device, which was condemned by the Accountant-General, namely, the transferring from the non-existent Fee Fund to the Post-graduate Fund. In this budget, which was framed after the whole matter was brought to their notice, they again provide (see the sixth item in page 2 of the budget—I have a copy of the budget which has also been published in the *Calcutta Gazette*) for Rs. 61,000 and odd as contribution from the Fee Fund, although the Fee Fund shows a huge debit balance. Now the Accountant-General in his letter of the 3rd January has brought out certain important points which make it difficult for me to depend on

the mere assurance of the Calcutta University. For example, the Accountant-General points out, at page 4 of his report, that the debit balance of Rs. 25,764 shown against the advance account of Rs. 20,000 represents the cost of German marks purchased. We all know that the value of German marks has fallen very low. There is nothing in the budget to show the true state of things with regard to the purchase of German marks either to the Senators or to the outside public. If they go on like this, then the University will come to financial ruin in spite of the grant of Rs. 2½ lakhs or even larger grants. Therefore, it is necessary, from the point of view of the tax-payer, to examine the University's accounts and to come to an understanding, but as I began by saying the best course to settle the thing would be a round table conference. I am keen mostly on two points, first that the Accountant-General's recommendations must be accepted unless there is sound reason to the contrary. I put it to the House what is the good of examining accounts year after year by an independent Audit Officer if we want to treat the audit report as waste paper. The second point on which I am very keen is that business methods must be observed. About the other conditions they are all a matter for discussion and even though I may consider that some of these conditions are very necessary, I am quite willing to give up some of them after discussion. There is another important part which I desire to bring to the notice of the House. It has reference to a fact which is stated in our letter, namely, that we intend to give another Rs. 3 lakhs to the University in our next budget. We stated that as explicitly as it was permissible for us to state it in our severely criticised letter. In paragraph 2 of that letter we said—

> It is not the intention of Government that the University should be left in a state of bankruptcy and they are as anxious as the University authorities themselves to place their finances on a sound basis. They will be prepared to ask the Legislative Council before long to vote an additional grant with that object.

The letter was written at a time when the departmental financial estimates were being framed, and I may tell the House that in our provisional financial estimates we have kept a provision of Rs. 3 lakhs and it is a thing which my department had taken up about six or eight months ago. I may also tell the House that the payment of this grant will depend on the vote of this Council, and unless I feel justified in asking for the vote of the Council, and unless I feel sure that the words which I myself uttered in my speech in July last, namely, that before a Minister could ask for a grant he must himself be satisfied, etc., I do not think it will be possible for me to ask the House to vote for this grant. I am keenly anxious to be placed in a position to enable me to ask for this vote and I hope and trust that the House will have no objection in passing that grant when it comes before the House. Perhaps in less than a month's time the financial statement will be published and the House will see the provision there. Is it right or wise that the Calcutta University should go on wrangling with the Government in the

way they are doing? Government have no desire to enter into a controversy with the University, but Government must do their duty and if the Calcutta University will not submit to what is legitimately due to the Government, they place both the bodies in a difficult position.

Mr. Dutt has dealt with eight different conditions, but apparently has has overlooked (I say this subject to correction) the most important condition which is embodied in the body of the letter and that condition is at the top of page 2 of this book—

. . . . they will not be justified in handing over any grant until an assurance is received that effect will be given to the recommendations of the Accountant-General contained in the report referred to above.

That condition embodied in the body of the letter has not been touched upon by any of the previous speakers, and I think it right to draw the attention of the House to it, lest it be said afterwards that the matter was not frankly and freely placed before the House. No member has referred to that condition, although in the report there are certain statements regarding the Accountant-General's recommendations, and I do not propose to deal with it beyond stating that the Accountant-General, in his letter of the 3rd January (copy of which has been placed on the table), has dealt effectively with these criticisms.

Then, as regards the first of the conditions attached to the letter; it is proposed that no further expansion involving financial responsibilities, should be undertaken by the University until their financial position shows an improvement. The argument is that in their previous letter they had already agreed to do so. If they want to abide by that statement then I ask what is their objection to accepting this condition? However I am quite willing, if I am satisfied, to withdraw that condition because, if the Accountant-General's recommendations are accepted, then, in future, business methods will be followed, but I maintain that we are perfectly justified in suggesting this condition.

About the second condition, it has been said that they have already given effect to the suggestion. I have, however, pointed out that even in this new budget they are drawing from imaginary funds which have no existence excepting in books. Therefore, it is a condition which I am not prepared to modify without further examination.

About the third condition the University authorities say—

Minute directions are given as to how many times the Board of Accounts should meet in the course of a year; it is evidently assumed that meeting and discussions alone lead to an increase in the funds of the University.

They go on to say—

It is possible that the Government are not aware that monthly statements of accounts are prepared and regularly submitted to the Syndicate and provision has been made for the preparation of a quarterly statement of income and expenditure and its submission to the Syndicate.

Although it may surprise the University authorities and also some of the friends of the University in this House who say that mere monthly meetings and discussions do not bring in money, I do assert that monthly meetings and discussions do in a way bring in money, *e.g.*, they free you from financial embarrassments by revealing to you, month by month, the true financial position. If you look to the actuals every month you will not incur expenditure which you have not the means to pay. No doubt it does not bring in any additional money. For example, if the Board of Accounts had met every month and done their duty, and compared the actuals with the estimates, had scrutinized the financial condition, then it is inconceivable to me that they could have allowed the deficit to grow up to Rs. 7 lakhs. In one year the non-co-operation movement was responsible for the loss of Rs. 3 lakhs, but the remaining Rs. 4 lakhs was a growth from day to day. This condition, I consider, to be somewhat important, but I am quite prepared to discuss it and come to some suitabe arrangement about it.

The fourth condition is that a balance sheet should be prepared on the basis of income and expenditure on the 30th June of each year. It should exhibit all assets and liabilities. Apparently the University do not object to this although they have their general objection that they are not agreeable to any conditions being imposed.

The fifth condition is that the accounts of separate funds should not be mixed up and the actuals of receipts and expenditure under each fund should be prepared and submitted to the Board of Accounts, to the Senate, and the Government of Bengal, every month soon after its close. Two criticisms are offered against this. One is—Why should anybody have monthly actuals? Why ask the University to prepare actuals of every month? To that my reply is that three parties are interested in wiping out this deficit, viz., Government, which is going to pay this money and is also keenly interested in the well being of the University, the University, and the Board of Accounts whose business it is to examine the finances of the University. If these three parties know the exact position, month by month, then they will be able to watch, guide, and come to satisfactory conclusions. Of course, if you look upon this condition with a suspicious eye, suspicions will blind your vision. It is suggested that Government want to have financial control. Did we suggest here that every month we should issue any directions? We did not. Therefore, there is nothing sinister in this. This, again, is a condition which I am prepared to discuss but would like to retain.

Then the sixth is a less stringent condition, namely, the actuals should be prepared annually and submitted to the Senate and the Government of Bengal.

Then, as to the seventh, they say that they have actually published the budget. My point is that I want to be satisfied that this practice will be followed in the future.

About the eighth condition their argument is that it is not possible to pay within the year what we have suggested. I fail to see any force in the argument. At page 170 of this blue book we find that their outstanding liability is Rs. 2,97,000 and odd, out of which Rs. 16,000 is due to Government, so that if we are not asking the Government dues to be paid immediately it comes to Rs. 2,81,000 and odd. The examiners' remuneration alone amounts to Rs. 1,75,000 and the salaries amount to less than Rs. 40,000. It is quite possible to accept this condition out of our grant of Rs. 2½ lakhs.

I am sorry to tire the patience of the House by discussing details like these. I feel it is not possible to discuss these details properly in an assembly of this nature, but I had to touch upon these points because they had been raised. I desire, however, to tell the House that I have not discussed them in full. Indeed it is not possible to discuss them in full. The general line which I desire to adopt in regard to the conditions is that each one of these conditions is reasonable and I can justify each one of them before any impartial tribunal. Although each one of these conditions is reasonable, yet I am quite willing to give up some of them, but I am not unwilling to give up conditions except, as at present advised, those relating to observance of business methods and giving effect to the recommendations of the Accountant-General. That is the general position and I do not think I can usefully add anything more. I apologise to the House for the length of my observations, but I am afraid that I have not dealt with each of the specific resolutions fully. Perhaps it will be more convenient if, after all the speeches are made, I explain to the Council what the Government propose to do with regard to all of these resolutions.

Mr. PRESIDENT: Before we proceed with the debate I desire to inform the House that the new travelling and residential allowances rules applicable to members of the Council, which come into force from the commencement of this session, will be available for the information of members to-morrow in the Legislative Department.

Babu SURENDRA NATH MALLIK: May I know as to how these rules come into force without our knowing them?

Mr. PRESIDENT: I am afraid, Mr. Mallik, these are matters beyond my cognizance. You should address your inquiry to the proper quarter.

Mr. F. E. E. VILLIERS: There are, Sir, so it seems to me, two interesting points further to be dealt with in connection with this subject; and, indeed, in doing so, I am really doing nothing more than following the precedent already established by previous speakers. I find, for instance, Mr. Ajoy Chunder Dutt, in his very lucid and clear speech, attributing this deficit of Rs. 2½ lakhs to our old friend—non-co-operation (Laughter). We have heard Professor Mukherji his voice ringing with righteous indignation, also attributing this unfortunate

deficit of Rs. 2½ lakhs to our old friend, non-co-operation. Later, again, we find, Rai Harendranath Chaudhuri in a most able speech—I feel convinced his was a very able speech, although I am sorry I could not hear a word of it—but I feel convinced that he must have used the same old peg of non-co-operation on which to hang this unfortunate deficit of Rs. 2½ lakhs.

Now, we who have the honour to belong to this Council, in doing so definitely establish in the eyes of the province our entire dissociation with all that pertains to non-co-operation, and although the Hon'ble the Minister in his extraordinarily able and lucid speech—if it is not an impertinence on my part to say what indeed is a truism—has entirely destroyed this argument as to non-co-operation being the cause of the deficit, at the same time, like the Egyptians of old, there may still be some here whose hearts are hardened; I put this forward as a possible hypothesis. Now, if that is so, I would like to point out just one small matter. We will accept for the sake of argument that this deficit of Rs. 2½ lakhs is in fact due to non-co-operation, as so many would prove it to be, and we have here a weapon to use in order that we may establish it further in the minds of those misguided people who have made this experiment of non-co-operation—that by non-co-operating they are damaging themselves as well as others—that their non-co-operating has brought this great University to the brink of ruin—and thereby threatened what is for so many of them the very foundation on which they build their lives.

And it seems to me that if those people for whose benefit the University exists have tried this experiment of non-co-operation in the past, they will not refrain from so doing in the future if we miss this opportunity of bringing home to them what lengths their folly has led them and that we only grant them money to save the University with definite stipulations. "Here you are," we say, you tried this experiment, and you have failed, and, you now come back to us and say that, having tried this experiment, and having brought our great University to the very brink of ruin, you come to the House and ask for a grant to wipe out this deficit—a deficit caused by your own folly."

Dr. JATINDRA NATH MOITRA: I do not understand whether you mean that the University authorities non-co-operated.

Mr. PRESIDENT: Order, order! Dr. Moitra is quite out of order in addressing Mr. Villiers.

Mr. F. E. E. VILLIERS: We must make use of this moral and proclaim to the rest of the province: "Here you are; see what non-co-operation has done for you."

There is one other point which I would add—a point which has already been referred to by the Hon'ble the Minister, and if I may make so bold to say with all diffidence—I think the Hon'ble the Minister has

possibly not given full significance to—namely, this extraordinary question, of the purchase on the part of the University authorities of German marks. Here we have certain members getting up and having the effrontery—the amazing effrontery—to demand a grant entirely free of all conditions—to do what? Further to gamble in exchange? Further to buy German marks? I cannot think that the House will countenance such o thing for a moment. I would just emphasize this point and that is that a body, however good its intentions may be, which so absolutely and entirely deflects from the proper course of its administrative duties as to go in for the very questionable and equally risky amusement of gambling in foreign exchange, I maintain that such a body cannot possibly expect to receive the assent of the House to a further grant without restrictions being placed on the expenditure of such money.

Dr. JATINDRA NATH MOITRA: At the outset I would take the last point of Mr. Villiers first. Much has been said against the purchase of German marks on the part of the University, but will Mr. Villiers point out how German books, German chemicals and German scientific apparatuses for the Science department of the University can be purchased without purchasing German marks? Just as when we purchase American commodities we have got to pay in dollars, similarly when we have got to purchase microscopes and other delicate scientific apparatuses from well-known scientific instrument makers of Germany, we have got to pay the price in German marks. This is the long and short of the whole story of the German marks.

I was ona of those who took part in the discussion last time when the question of the grant of Rs. 2,50,000 to the Calcutta University came up before the Council. The sum was voted, and, as every one of us knows, voted without any condition whatsoever. It raises in my mind a great constitutional question whether the imposition of conditions after the grant was passed by the Council can and should be justified even if there is no written or unwritten law of procedure for the guidance of the Hon'ble Ministers. I ask each and all of the members here whether they would tolerate such an interference with their privileges and rights. Into the merits of the question of the suitability or otherwise of the conditions from the view-point of the University, I have no mind to enter as everything has been set forth in the report of that particular Committee of the Senate which considered the question of the "conditions." I was a member of that Committee and I signed the report and I take responsibility for every line embodied in the report. It is not true to say that we, the members of the Senate, rejected all the conditions *in toto* as the Hon'ble the Minister has admitted in his speech. We have demonstrated that the present financial embarrassment is due to a variety of causes. Mr. Villiers has made an ottack on the supposed couse of non-co-operation adduced by the members of the Senate. This is not a supposition. It is a truth but it is not the only cause. It is only one part of it. If

you go into the report which I think every member of the Council ought to read carefully, because there are many materials which will enlighten them on the different aspects of the life of education in this country, you will find it there.

Mr. PRESIDENT: I cannot have a sub-committee going on in the neighbourhood of Dr. Moitra. Will hon'ble members please desist from prompting the speaker?

Dr. JATINDRA NATH MOITRA: I say again that non-co-operation was not the only cause. You know of the unfortunate leakage of question papers in 1917. When Dr. Sir Deva Prosad Sarbhadikari was Vice-Chancellor of the University the question papers leaked out not once but twice and a sum of Rs. 60,000 had to be spent for meeting the extra expenses in that connection. In the same year, 1917, the Patna University was founded and a large number of students were wrested from the Univaristy. In 1919, the University of Dacca was founded without the slightest notice to the Calcutta University and this again took away a great many students. The creation of a Secondary Board of Education at Dacca had the same effect. Then came the formation of the Rangoon University. These three universities were created within the space of a few years and took away a large sum of money which used to be paid to the coffers of the Calcutta University. This is in addition to the incidence of the non-co-operation movement as well as the post-war conditions which contributed to the deficit of the University. This has been clearly proved in the report published by us from the Senate. If you refer to the correspondences which the Vice-Chancellor had with the heads of schools in Bengal, you will find what accurate figures he obtained from the different schools—figures which go to show that a very large number of students, namely, 42 per cent., had deserted the schools.

We have demonstrated in the report that the present financial embarrassment of the University is due to causes beyond the control of the University; this has also been clearly stated in the report of the Accountant-General which is made so much of.

During the last ten years, the grant to the Calcutta University by the Government of India, as well as by the Government of Bengal, had been—if I may say so—paltry and exceedingly inadequate for the needs of the University. I am certain that had not the three universities of Rangoon, Patna, and Dacca, with its Board of Secondary Education, and the non-co-operation movement which took away 42 per cent. of the students of the Calcutta University come into existence, this unforeseen deficit would not have occurred. I do not like to further accentuate the unedifying struggle and increasing bitterness between two bodies of men whose united stand would have been a great asset, but whose unfortunate disunion at a time of a great national need cannot be too much deplored. The Hon'ble the Minister very shrewdly observed that the University was actuated by the highest of motives,

but in the same breath he imposed unacceptable conditions. Anyone with self-respect, any one with a hand in the University's affairs who prizes the honour and dignity of the University cannot accept these conditions. Whether you give money or not *matters little to the University*, but you must respect the honesty, the integrity, the ardour, the zeal and the enthusiasm of the members of the Senate.

The Hon'ble Mr. P. C. MITTER: May I rise to a point of personal explanation? I never questioned the honesty or integrity of any member of the Senate. I never said that.

Mr. S. M. BOSE: I rise to a point of order. I think there is no quorum in the House.

Mr. PRESIDENT: I will adjourn the Council as soon as Dr. Moitra finishes his speech.

Dr. JATINDRA NATH MOITRA: I have heard that the Hon'ble the Minister for Education wants to start "business" principles in the affairs of the University. I am glad that we have got such a business man among us here. I would request him—most humbly request him—to remember the same principle when the question of retrenchment of his own department of Education comes up for discussion in the Council, although I must at the outset say that I will always oppose any attempt to curtail tha educational facilities in this province. The Hon'ble the Minister accuses the members of the Senate including the Vice-Chancellor himself of misappropriation of trust funds—

Mr. PRESIDENT: I do not think you can charge the Hon'ble the Minister with accusing anybody of misappropriation. I certainly never heard such a statement in the whole of his speech. I cannot allow that expression to go.

Dr. JATINDRA NATH MOITRA: I am sorry for having used this expression. It was due to a misunderstanding. It is my conviction that the Senate, which had as its Vice-Chancellor the present Chief Justice of Bengal only a few years ago, and which has still got the seniormost Puisne judge of the Calcutta High Court as its Vice-Chancellor whose only misfortune is his colour——

Dr. A. SUHRAWARDY: May I inquire what the relevancy is of the colour question to the present discussion?

Mr. PRESIDENT: I am unable to discover what Dr. Moitra is leading up to.

Dr. JATINDRA NATH MOITRA: I mean to say, Sir, that such men who adorned the Senate at its head and still adorn it, could not wilfully be a party where money was misspent. I put it very mildly. I request the Hon'ble the Minister with all the humility that I can command that

he will kindly face this problem openly—this problem which is agitating the minds of the people of Bengal for such a length of time. This acrimonious debate must be stopped and the best way to do so is to meet at a round table conference. I accept what the Hon'ble the Minister has so kindly said, but I hope that he and the Hon'ble the Vice-Chancellor will meet together before a person who is the object of reverence to both of them, and the only man in Bengal who commands this position is His Excellency the Governor of Bengal who is not only the head of this Government——

Mr. PRESIDENT: Your time is up, Dr. Moitra. One sentence more and you must finish.

Dr. JATINDRA NATH MOITRA: Yes, Sir, I shall be very brief. His Excellency the Governor of Bengal who is not only the head of this Government but is also the Chancellor of the Calcutta University. I implore the Hon'ble the Minister to do everything in his power to bring this unhappy strife with the University, to a satisfactory settlement.

Adjournment.

The Council was then adjourned till 3 P.M. on Friday, the 26th January, 1923, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Friday, the 26th January, 1923, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers and 109 nominated and elected members.

Affirmation.

The following member made an affirmation of his allegiance to the Crown:—

Dr. PRAMATHA NATH BANERJEE.

Starred Questions

(to which oral answers were given).

Council Secretaries.

***XVI. Babu KISHORI MOHAN CHAUDHURI:** Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether the Government are considering the advisability of appointing Council Secretaries as provided in the law?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): The member is referred to the answer given to his question No. 69 at the meeting of the 4th July, 1922.

Zamindars enjoying the privilege of realizing rent by the certificate procedure.

***XVII. Babu KISHORI MOHAN CHAUDHURI:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether any zamindars in Bengal enjoy the privilege of realizing rent by the certificate procedure?

(*b*) If so, will the Hon'ble the Member be pleased to state their names?

(c) Are the Government considering the desirability of extending the privilege to other zamindars of equal status?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (a) Yes.

(b) The following zamindars enjoy the privilege of realizing rent by the certificate procedure:—

(1) The Nawab Bahadur of Murshidabad in respect of his Fatehsingh estate in the Murshidabad district; (2) the Mathurapur Zamindary Company, Ltd.; (3) Srimati Ananda Kumari Debi of the Bhowal estate in Dacca; and (4) the Nawab family of Dacca. Government have agreed to allow the privilege also to the Mahisadal estate in Midnapore.

(c) No; for no applications are pending with Government from zamindars of equal status.

Loss of Court-fee Stamps from Bakarganj Treasury.

***XVIII. Rai NIBARAN CHANDRA DAS GUPTA Bahadur:** (a) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state whether the final report of the inquiry relating to the misappropriation or missing of court-fee stamps from the Barisal Treasury has been received?

(b) If so, will the Hon'ble the Member be pleased to lay a copy of the report on the table?

(c) Will the Hon'ble the Member be pleased to state whether orders for writing off the amount covered by the defalcations have been passed?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): (a) Yes.

(b) Government are not prepared to lay the report on the table.

(c) Yes.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: Is the Hon'ble the Member aware that a certain proceeding is still pending for the recovery of the amount defalcated against the heirs of a particular treasury ministerial officer?

The Hon'ble Mr. J. DONALD: I want notice of the question.

Joysagar tank in Sirajganj (Pabna).

***XIX. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether he is aware that Joysagar tank at Nimgachi within police-station Raiganj, in the Sirajganj subdivision, is a very ancient tank?

(*b*) Are the Government considering the desirability of taking early steps to declare this tank protected under the Ancient Monuments Preservation Act, 1904?

(*c*) If the answer to (*b*) is in the negative, will the Hon'ble the Minister be pleased to state the reasons for not doing this?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*a*) No.

(*b*) No.

(*c*) In view of the need for retrenchment, Government at present are unable to consider the question of undertaking new liabilities under Act VII of 1904.

Salt congestion at Chittagong.

***XX. Rai UPENDRA LAL RAY Bahadur:** With reference to the reply given to clause (*iv*) of starred question No. XXXVII put by me at the meeting of this Council on the 22nd November, 1922, will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) whether the salt congestion at Chittagong during September and October, 1922, was the first of its kind; and

(*ii*) whether private warehouses were not licensed for storage of salt at Chittagong in previous years?

The Hon'ble Mr. J. DONALD: (*i*) This was the first serious congestion which occurred since 1914 when the Moheshkhal golas were opened.

(*ii*) Three private warehouses were licensed in 1921; none from 1914 to 1921.

Reduction of spans on the Eastern Bengal Railway line from Nator to Santahar.

***XXI. Babu NALINI NATH ROY:** (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state whether he is aware that the bridges on the Eastern Bengal Railway line from Nator to Santahar were purposely constructed shorter than what they ought to have been and that the railway materials saved thereby were sent to Mesopotamia during the last war?

(*b*) If the answer to (*a*) is in the negative, are the Government considering the desirability of investigating the matter at an early date?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) This is not a fact. The reduction of spans took place during two seasons 1904-05 and 1912-13, *i.e.*, before the necessity due to military operations arose.

(*b*) The question does not arise.

Reserved seats in Calcutta Medical College.

***XXII. Rai LALIT MOHAN SINGH ROY Bahadur:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that a certain number of seats are annually kept reserved for communal, provincial, and institutional representation at the Calcutta Medical College?

(*b*) If so, what is the number of seats kept reserved for each of the above purposes?

(*c*) Do the Governments of Bihar and Orissa and Assam contribute anything towards the recurring expenses of the Medical College?

(*d*) If not, are the Government considering the desirability of asking them to contribute some portion of the expenditure?

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT (Mr. S. W. Goode): (*a*) Yes, under rule 5 of the Medical College Rules of which a copy is laid on the Library table.

(*b*) The number reserved for the different classes are as under:—

(1) Muhammadans.—One-fourth of the total number admitted.

(2) Bihar and Orissa.—12 candidates and 6 scholars.

(3) Assam.—6 candidates.

(4) Dacca University.—6 candidates.

(5) Burma University.—2 candidates.

(6) Central Provinces.—1 candidate.

(*c*) Yes.

(*d*) This question does not arise.

Tramways strike.

***XXIII. Rai LALIT MOHAN SINGH ROY Bahadur:** (*a*) Is the Hon'ble the Member in charge of the Department of Commerce aware that

within the course of the last two years the drivers and the conductors of the Calcutta Tramways Company have struck work six times?

(*b*) Are the Government considering the desirability of taking some steps to make strikes impossible in future?

(*c*) Are the Government considering the desirability of appointing a conciliation board for the purpose?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): (*a*) Yes.

(*b*) No. The member is referred to resolution No. 3268-Com., dated the 29th August, 1921, constituting a conciliation panel for disputes in public utility services.

(*c*) The member is referred to the *communiqué* issued by Government and published in the newspapers on the 6th January, 1923.

Anti-malarial scheme.

***XXIV. Mr. BIJOYPROSAD SINGH ROY:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the Government have got any definite anti-malarial scheme ready?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Minister be pleased to state whether this scheme has been approved from the engineering point of view?

(*c*) Will the Hon'ble the Minister be pleased to lay on the table the schemes, district by district, if possible?

(*d*) Is it in the contemplation of the Government to give effect to any of these schemes? If so, when?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): (*a*) and (*b*) For information regarding the schemes actually in progress, a reference is invited to the reply given to question No. 34 which was put by Mr. Ajoy Chunder Dutt in the November session of 1922.

In addition to these schemes Government has for some time past been investigating the important scheme known as the Bhairab project. Detailed plans and estimates have recently been prepared from which it appears that this scheme will cost over rupees half a crore. Government are advised that it is doubtful whether the benefits—sanitary and agricultural—which the scheme, as originally designed, is likely to produce, would justify this enormous expenditure. The possibility of dealing with the malarious and unfertile tracts of Murshidabad and certain portions of Nadia and Jessore by re-excavating the western and

northern reaches of the Bhairab is now under inquiry, and the Irrigation Department, as a result of the survey now in progress, hope to submit definite proposals to Government by April next. It is obviously necessary that Government should be very sure of their ground before inviting local bodies who will recover the cost from persons benefited, to undertake schemes of such magnitude.

(*c*) and (*d*) Schemes, district by district, have not been prepared. Suggestions, which have not been worked up into definite projects, have been made by district boards, but at present the Irrigation Department is concentrating on the proposed Bhairab scheme.

Ancient buildings in Pabna district.

***XXV. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether he is aware that the following ancient buildings in the district of Pabna are in a state of disrepair and neglect:—

I.—Sirajganj subdivision.

(*i*) the mosque at Nabagram, police-station Taras;

(*ii*) the mosque at Shahzadpur known as Maqdum Shaheb's mosque at Shahzadpur, police-station Sirajganj;

(*iii*) the temples of Nabaratna and of Siva at Hatikumilli, police-station Ullapara;

II.—Sadar subdivision.

(*iv*) the mosque at Samaj, police-station Chatmohar;

(*v*) the mosque at Chatmohar, police-station Chatmohar;

(*vi*) the temple of Jagannath at Handyal, police-station Chatmohar; and

(*vii*) Jorebangla at Pabna town?

(*b*) Are the Government considering the desirability of taking steps for their preservation at an early date?

The Hon'ble Mr. P. C. MITTER: (*a*) The answer is in the negative.

(*b*) The Superintendent, Archæological Survey, proposes to visit the buildings in the course of his tours, and no action can be taken until his report is received.

Defamation suit against Mr. D. S. Fraser.

*XXVI. **Professor S. C. MUKHERJI:** (*a*) Is the Hon'ble the Member in charge of the Appointment Department aware of a civil suit brought by Babu Birendra Chandra Mukherjee, late Professor of Philosophy, Carmichael College, Rangpur, against Mr. D. S. Fraser for damages for defamation now pending in the Subordinate Judge's Court at Rangpur?

(*b*) Is it a fact that Mr. Fraser is the elected President of the Governing Body of the Carmichael College?

(*c*) Is it a fact that the Government has undertaken to defray the expenses of Mr. Fraser in the said suit including the cost of examination and commission of witnesses both in England and in India?

(*d*) If so, will the Hon'ble the Member be pleased to state the reasons for undertaking to defray the expenses?

(*e*) Is the Hon'ble the Member in a position to state how much will have to be spent in connection with the suit and how much has already been spent?

(*f*) Will the Hon'ble the Member be pleased to state the number of pleaders engaged on behalf of Mr. Fraser and their terms of engagement?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Yes.

(*b*) Mr. Fraser was *ex-officio* President of the Governing Body of the Carmichael College at the time the case was instituted.

(*c*) Yes.

(*d*) The reasons why Government undertook to defend Mr. Fraser were as follows:—

(*1*) Mr. Fraser was President of the Carmichael College only in virtue of his position as District Magistrate of Rangpur.

(*2*) His conduct was *primâ facie* reasonable and *bonâ fide* and in these circumstances Mr. Fraser was entitled to receive from Government the costs of his defence.

(*e*) A sum of Rs. 2,000 has already been spent: it is not possible now to estimate what the total cost will be.

(*f*) The number of pleaders engaged on behalf of Mr. Fraser is three. Of these, one, the Public Prosecutor, is only nominally employed and receives no remuneration. The remaining two have been engaged conjointly for a total sum of Rs. 300.

Health Officers of district boards.

***XXVII. Maulvi SHAH ABDUR RAUF:** Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state what sum, if any, has been spent by the different district boards during each of the financial years 1920-21 and 1921-22 to meet the salary and other incidental expenses including travelling allowances of the Health Officers and their establishment?

The Hon'ble Sir SURENDRA NATH BANERJEA: A statement is laid on the Library table.

Unstarred Questions

(answers to which were laid on the table).

Effect on public amusements on the passing of the Amusements Tax Act.

144. Babu AMULYA DHONE ADDY: (*a*) Is the Hon'ble the Member in charge of the Department of Finance aware that ever since the Amusements Tax was introduced, one Company has ceased showing cinema pictures while another has changed hands owing to heavy losses?

(*b*) Is it a fact that other Indian and English theatres are in great straits ever since the tax has been introduced?

(*c*) Are the Government considering the desirability of taking any steps in the ensuing Budget either to reduce the rate or to abolish it altogether to avoid unemployment to the theatrical actors and losses to the owners of Companies?

The Hon'ble Mr. J. DONALD: (*a*) and (*b*) Government have no information.

(*c*) No.

Damodar floods.

145. Babu AMULYA DHONE ADDY: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state what steps have been taken by the Government to give effect to the project formulated by Mr. Addams-Williams as a result of his inquiry for the prevention of recurring floods in the river Damodar?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: If the question refers to the flood controlling reservoir project, this is still under the consideration of Government.

If the question refers to other projects, they are being gone on with, but will only mitigate, not prevent, floods.

Tramways strike.

146. Babu AMULYA DHONE ADDY: (*a*) Is the Hon'ble the Member in charge of the Department of Commerce aware that great inconvenience is being caused to the public by the frequent tramway strikes in Calcutta?

(*b*) Have the Government hitherto taken any steps to ascertain the causes of such strikes?

(*c*) Is it a fact that representation has been made to the Government on behalf of the strikers for an impartial inquiry into this matter?

(*d*) If so, what has been the result of that representation?

(*e*) Are the Government considering the desirability of appointing a conciliatory board forthwith to inquire into the causes of the dispute between the Tramways Company and their employees and to settle the disputes as soon as possible?

The Hon'ble Mr. J. DONALD: (*a*) Yes.

(*b*) Yes.

(*c*) to (*e*) The member is referred to the *communiqué* issued by Government and published in the newspapers on the 6th January, 1923.

Khulna Sundarbans forest.

147. Maulvi AZAHARUDDIN AHMED: Will the Hon'ble the Member in charge of the Department of Revenue (Forests) be pleased to lay on the table a statement showing—

(*i*) the annual income and expenditure of Lot No. VII in the Khulna Sundarbans forest; and

(*ii*) the number of persons killed by tigers in the reserved Sundarbans forest in Khulna district during the last ten years?

MEMBER in charge of DEPARTMENT of REVENUE [FORESTS] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan). (*i*) No separate account of revenue and expenditure has been kept for Lot No. VII. The account is kept by working circles as prescribed by the working plan.

(*ii*) No separate figures for the reserved forests alone are available. The number of men killed by tigers during the last ten years in both reserved and protected forests in the whole Sundarbans forest division (24-Parganas and Khulna) was 379.

Vishnupur-Calcutta Chord Railway project.

148. Mr. SYED ERFAN ALI: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state what

has happened to the proposal of 1913-14 regarding the opening of the Vishnupur-Calcutta Chord Railway?

(*b*) When are lands likely to be acquired for the purpose?

(*c*) Is the Hon'ble the Minister aware that the people under the Arambagh subdivision and their neighbours have no other means of communication and are anxiously waiting for this line?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) It is waiting for want of funds.

(*b*) Government have no information.

(*c*) Yes.

Promotion of Bengal Judicial Service men to listed posts.

149. Mr. SYED NASIM ALI: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether the effect of the notification No. 8359A., dated the 31st July, 1922, published in Part I of the *Calcutta Gazette*, dated the 9th August, 1922, would be to debar members of the Provincial Judicial Service from being appointed to the six appointments to the Superior Judicial Service by promotion as hitherto?

(*b*) If so, will the Hon'ble the Member be pleased to state how many of these six appointments it is proposed to take away from the members of this Provincial Judicial Service?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) No; the position of the Bengal Civil Service (Judicial) is not affected by the notification.

(*b*) Does not arise.

Pay of Registrars and Sub-Registrars.

150. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether the revised scale of pay of Registrars and Sub-Registrars of the Registration Department, as voted by the Council on the 31st August, 1922, has been given effect to?

(*b*) If not, will the Hon'ble the Minister be pleased to state as to when it is likely that effect will be given to it?

The Hon'ble Mr. P. C. MITTER: (*a*) and (*b*) A reference is invited to resolution No. 44Mis., dated the 2nd January, 1923, published in the *Calcutta Gazette* of the 17th January, 1923.

Commercial, industrial and technical schools.

151. *Rai* HARENDRANATH CHAUDHURI: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what schemes for the establishment of industrial, commercial and junior technical schools at suitable centres throughout the province have matured since the close of the year 1921?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): Schemes have been prepared for the establishment of one commercial school at Chittagong and another at Chinsurah; one industrial school at Chittagong and another at Raniganj (instead of at Asansol as originally proposed); one technical school at Krishnagar and another at Barisal; but none of the schemes could be given effect to owing to financial stringency.

Salt.

152. Rai HARENDRANATH CHAUDHURI: (*a*) Is the Hon'ble the Member in charge of the Department of Finance aware of the prevailing high prices of salt?

(*b*) If so, are the Government considering the desirability of renewing the issue of licenses for the manufacture of salt in the saliferous districts of Bengal?

The Hon'ble Mr. J. DONALD: (*a*) During the quarter ending with December, 1922, the average retail price of salt in Bengal was 11 seers 8 chittaks per rupee. The price was less than in any of the preceding six quarters.

(*b*) If the question refers to the manufacture of salt in small quantities for domestic consumption the answer is in the negative.

Receipts and expenses under revenue head XIII.

153. Rai HARENDRANATH CHAUDHURI: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state what steps, if any, are being taken—

(*i*) to curtail the working expenses of irrigation, navigation, embankments and drainage works for which capital accounts are kept; and

(*ii*) to improve the receipts under revenue head XIII?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*i*) Only necessary expenses are incurred.

(*ii*) Irrigation rates are being raised gradually and it is proposed to raise navigation rates.

Inconvenience of passengers at Dhakaria station on the Eastern Bengal Railway (Southern Section).

154. Rai FANINDRALAL DE Bahadur: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) aware of the facts—

(*i*) that the passengers, specially those travelling daily, to and from Dhakaria station, on the southern section of the Eastern Bengal Railway, suffer great inconveniences in connection with the timings, speed and accommodation of the train service; and

(*ii*) that repeated appeals to the railway authorities have been made in vain by the public for the redress of the grievances?

(*b*) Will the Hon'ble the Minister be pleased to state whether any representation has been received from the Dhakaria public on the subject?

(*c*) Are the Government considering the desirability of drawing the attention of the railway authorities to the matter?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) and (*b*) Yes.

(*c*) This Government cannot interfere with the internal management of the Railway which is under the control of the Government of India and not of the local Government. The local Government is, however, drawing the attention of the Railway Company to the complaints now made.

Tramways strike.

155. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state—

(*i*) what steps, if any, have the Government taken, or propose to take, for the purpose of terminating the tramways strike in Calcutta; and

(*ii*) whether it is the intention of Government to refer the subject-matter of the tramway dispute to a conciliation board appointed by Government?

The Hon'ble Mr. J. DONALD: (*i*) and (*ii*) The member is referred to the *communiqué* issued by Government and published in the newspapers on the 6th January, 1923.

Proposed subdivision in Midnapore with headquarters at Hijli.

156. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Member in charge of the Political Department be pleased to state whether Government intend to have a new subdivision in the district of Midnapore with its headquarters at Hijli?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): The creation of a new subdivision with headquarters at Hijli is part of the scheme which has been postponed. It is not proposed to open the subdivision at present.

Jails and jail gardens.

157. Babu ANNADA CHARAN DUTTA: Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to lay on the table a statement showing—

(*i*) the number of ordinary prisoners in Bengal jails, jail by jail;

(*ii*) the quantity of garden lands attached to each jail;

(*iii*) the quantity of lands in which vegetables were grown during the last 12 months;

(*iv*) the actual quantity of vegetables produced during the last 12 months;

(*v*) the quantity of vegetables consumed daily during the last 12 months in each jail; and

(*vi*) what is the quantity of vegetables purchased for each ordinary prisoner *per diem* in each jail?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. H. L. Stephenson): (*i*) The number of prisoners in jails varies from day to day. A statement showing the number of prisoners on the 1st January, 1923, is placed on the Library table.

(*ii*) to (*vi*) The information is not available and the labour involved in compiling the statistics is not commensurate with the value of the results.

Deforesting areas near about the shrines of Chandranath and Shombhunath in Chittagong.

158. Babu ANNADA CHARAN DUTTA: (*a*) Is the Hon'ble the Member in charge of the Department of Revenue (Forests) aware that

the Panchakrosh in Sitakunda, and especially the hills near the shrines of Chandranath and Shombhunath, in Chittagong, are held very sacred by the Hindus and the Buddhists?

(*b*) Are the Government considering the desirability of releasing the same or such specified portions thereof as may be consistent with the religious ideas of the people from the reserve forests?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Yes.

(*b*) No. An area of 808 acres of the forest round the shrines in Sitakunda has already been excluded from the reserve and thrown open to the public in order that pilgrims and others resorting to the shrines may not be hampered in any way in their religious observances.

Pabna and Tippera Agricultural farms.

159. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what practical steps, if any, have been taken by the Tippera and Pabna Agricultural farms for the improvement of food-grains and the agricultural produce of the districts since their establishment and what results have been obtained?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The member is referred to the Annual Reports of the Tippera and Pabna District Farms for the year 1921-22, which will be published shortly.

Mosquitoes in Pabna.

160. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that there has been an abnormal increase of mosquitoes in the area affected by the recent floods in the district of Pabna?

(*b*) Are the Government considering the desirability of instituting an inquiry into the matter by the Assistant Director of Public Health, Rajshahi division, and of taking steps for its remedy?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) The Minister has no information, but inquiries are being made by the Director of Public Health.

Teaching cultivators improved methods of cultivation.

161. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be

pleased to state what steps, if any, have been taken by the authorities of the Pabna and other agricultural farms in Bengal to enlighten the cultivators as to the results obtained at these farms?

(*b*) If no steps have yet been taken in this direction, are the Government considering the desirability of issuing necessary instructions at an early date to district agricultural officers of this Presidency to take such steps?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) The results obtained at the farms are demonstrated to the cultivators through the demonstrators employed by the Department of Agriculture and also by exhibitions at the farms when these can be arranged at a reasonable cost; the prevailing financial stringency affects this work considerably.

(*b*) This does not arise.

Tramways strike.

162. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state whether he is aware that people have been put to great inconvenience owing to the Calcutta Tramways strike?

(*b*) What steps have been taken up to date for the settlement of this strike?

(*c*) Are the Government going to appoint an arbitration board for the purpose and if so, when?

(*d*) If the answer to (*c*) above is in the negative, what step do the Government propose to take for the settlement of the strike?

The Hon'ble Mr. J. DONALD: (*a*) Yes.

(*b*) and (*c*) The member is referred to the *communiqué* issued by Government and published in the newspapers on the 6th January, 1923.

(*d*) Beyond providing adequate police protection in the interests of law and order, Government do not propose to interfere.

Date-sugar industry in Pabna and Tippera.

163. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Agriculture and Industries aware that there are a large number of date-palms in the districts of Pabna and Tippera?

(*b*) Are the Government considering the desirability of training the people of these districts through experts to utilize such trees for the manufacture of sugar?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) Yes.

(*b*) An investigation into the date-sugar industry is already a regular item in the programme of the Government Agricultural Chemist. A survey of available resources and of methods was contemplated for the present season but has had to be abandoned on account of the financial position.

Village dispensaries in Pabna.

164. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the total numbers of private, public, aided and unaided village dispensaries in the district of Pabna during the last five years;

(*ii*) the number of them which are charitable; and

(*iii*) the total amount of contribution made by the district or local boards in aid of the dispensaries or hospitals in the district during each of the said years?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) to (*iii*) A reference is invited to Statement II in the Reports on Hospitals and Dispensaries, copies of which are laid on the Library table.

Government have no information regarding unaided dispensaries.

Pasture lands and breeding bulls in Pabna and Tippera.

165. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what steps have been or are being taken by the Government and the local authorities for the provision of—

(*i*) public pasture grounds, and

(*ii*) public bulls for breeding purposes,

in the districts of Tippera and Pabna?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) Cattle Survey Report, Bengal (1912), contains some suggestions. This department is not aware that any steps have been taken or that such are possible.

(*ii*) A Government stud bull has been provided at the Pabna Farm for service to the public free of charge. At Brahmanbaria a stud bull is maintained by the Wards Estate. It is already under contemplation to provide a breeding bull at each farm as soon as suitable animals are available from the Rangpur Cattle Farm.

Batwara fees and landlords' fees in Noakhali, Pabna and Tippera.

166. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) what was the amount realized as batwara fees in the districts of Pabna, Tippera and Noakhali each year during the last five years; and

(*ii*) what was the amount of landlords' fees deposited in the Pabna Collectorate each year during the last 10 years and what was the amount that lapsed each year during the said period?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) and (*ii*) The labour involved in obtaining information about the amount of batwara fees realized and the amount of landlords' fees lapsed is incommensurate with its value. As regards landlords' fees deposited, the member is referred to the Annual Land Revenue Administration Reports.

District Agricultural Officer, Pabna.

167. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) what are the qualifications of the present District Agricultural Officer of Pabna;

(*ii*) what special training, if any, did that officer receive;

(*iii*) what is his pay; and

(*iv*) what is the monthly average of his travelling allowance?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) and (*ii*) The District Agricultural Officer, Pabna, has read up to the I.A. Standard of the Calcutta University and passed the Final Examination of the Sabour Agricultural College.

(*iii*) Rs. 105.

(*iv*) Rs. 100.

Grievances of passengers on the Assam-Bengal Railway.

168. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch, aware of the grievances of the 3rd class passengers on the

Assam-Bengal Railway, especially between Laksham Junction and Brahmanbaria on account of the insufficient number of carriages for the said passengers?

(*b*) If so, what measures, if any, have been taken by the Government in this matter?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) No.

(*b*) The question does not arise.

Medical practitioners in Pabna.

169. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state the total number of Assistant and Sub-Assistant Surgeons attached to (*a*) hospitals, and (*b*) practising privately within the Sadar and Sirajganj subdivisions, respectively, of the district of Pabna during the years 1918, 1919, 1920 and 1921?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Two Sub-Assistant Surgeons attached to the Sadar Hospital and two Sub-Assistant Surgeons and one Civil Assistant Surgeon attached to hospitals in Sirajganj subdivision.

(*b*) Government have no information as to the number of private practitioners.

Inconvenience of passengers at the ticket windows at Howrah, Sealdah and Naihati.

170. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) aware of the inconvenience put to at the ticket windows at the time of purchasing tickets at Howrah station on the East Indian Railway and Sealdah and Naihati stations on the Eastern Bengal Railway?

(*b*) Is it a fact that these ticket windows are opened a few minutes only before the arrival and departure of trains and there is a tremendous rush for tickets at the ticket windows at these stations?

(*c*) Are the Government considering the desirability of drawing the attention of the Agents of the Eastern Bengal Railway and East Indian Railway to this and of asking them to see that the 3rd class booking offices of these and other big stations remain open during day night and that tickets for 3rd class passengers are available at any time?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) No.

(*b*) Government have no information.

(*c*) The attention of the Agents, Eastern Bengal and East Indian Railways, is being drawn to the matter.

Bengali publications proscribed by the Government of Bengal.

171. Babu BROJENDRA KISHOR RAY CHAUDHURI: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to lay on the table a statement giving a list of the Bengali publications proscribed by Government during the last 12 years stating the reasons for proscription in each instance?

(*b*) Have the authors or publishers of the proscribed books been informed of the objectionable passages and allowed to rewrite them?

(*c*) In the case of proscribed dramas were their authors, publishers or the managers of theatres who used to stage them informed what corrections were needed in the manner of their presentation?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) A statement is laid on the Library table.

(*b*) and (*c*) No.

Pay and allowances of officers in Pabna.

172. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) the total amount that was spent in each of the years 1920-21, 1921-22, and 1922-23 (up to date) over "travelling allowances," "halting charges," and "mileage" of the various officers under the Government of Bengal in the district of Pabna; and

(*ii*) the proportion that the amount referred to above bears to the amount spent over their "salaries," "personal allowances," and "house allowances"?

The Hon'ble Mr. J. DONALD: The labour involved in the collection of this information is altogether disproportionate to its value, and Government are not prepared to undertake it.

Centralization of the administration of the Customs Department.

173. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state whether anything has been decided on the subject of centralization of the administration of the Customs Department on which views from various public bodies were invited by the Government of Bengal, Finance Department (Separate Revenue Branch)?

The Hon'ble Mr. J. DONALD: No. The matter is under the consideration of the Government of India.

Indian Educational Service.

174. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing, year by year, for the last three years, the number of appointments made to the Indian Educational Service in Bengal by—

(*i*) recruitment in England;
(*ii*) direct nomination in India; and
(*iii*) promotion of Indian officers of the Provincial Educational Service?

(*b*) Will the Hon'ble the Minister be pleased to state when the further resolution about the selection committee, referred to by the Hon'ble the Minister in answer to starred question No. XII put by Mr. Bijoyprosad Singh Roy on the 21st November, 1921, was issued?

(*c*) Will the Hon'ble the Minister be pleased to lay a copy of the said resolution on the table?

The Hon'ble Mr. P. C. MITTER: (*a*) A statement is laid on the table.

(*b*) and (*c*) The further resolution was issued on the 8th February, 1922. A copy is laid on the Library table.

Statement referred to in the reply to unstarred question No. 174, showing, year by year, the number of appointments made to the Indian Educational Service in Bengal during the last three years.

Men's Branch.

(*i*) By recruitment in England: 1920—Nil; 1921—1; 1922—Nil.
(*ii*) By direct nomination in India: 1920—1; 1921—Nil; 1922—1.
(*iii*) By promotion of Indian officers of the Bengal Educational Service: 1920—1; 1921—14; 1922—Nil.

Women's Branch.

(*i*) By recruitment in England: 1920, 1921, 1922—Nil.

(*ii*) By direct nomination in India: 1920, 1921—Nil; 1922—1 (This nominee was holding a permanent appointment in the Education Department on special rate of pay outside the educational services).

(*iii*) By promotion of Indian officers of the Bengal Educational Service: 1920, 1921, 1922—Nil.

Railway Advisory Committee for Bengal.

175. SHAH SYED EMDADUL HAQ: (*a*) With reference to the answer given to unstarred question No. 47 of the 20th November last, will the Hon'ble the Member in charge of the Department of Commerce be pleased to state whether the Government have decided to form a local Railway Advisory Committee for Bengal?

(*b*) If so, has the personnel of the Committee been decided upon?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble the Member be pleased to state the names of the members?

The Hon'ble Mr. J. DONALD: (*a*) to (*c*) The Government of India have already approved of the principle of local Railway Advisory Committees, and the Government of Bengal are still in consultation with the Railway Administrations and Railway Board regarding the constitution and personnel of the committees.

Sugarcane and Cotton cultivation.

176. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what practical steps, if any, have been taken or are being taken for the spread of sugarcane and cotton cultivation in the several districts of Bengal?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The member is referred to pages 5 and 9 of the Annual Report of the Agricultural Department for 1921-22, which will be published shortly.

Receipts from Stamps in Pabna due to new Stamp and Court-fee laws.

177. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state

what the actual increase in receipts is from judicial and non-judicial stamps in the district of Pabna for the months during which the Stamp Amendment and Court-fees Acts have been in force?

The Hon'ble Mr. J. DONALD: The labour involved in the collection of this information is altogether disproportionate to its value, and Government are not prepared to undertake it.

Stamp revenue in Pabna from the new taxes.

178. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Finance be pleased to lay on the table a statement showing the revenue derived in the district of Pabna from the three new taxes with comparative figures of the previous year?

The Hon'ble Mr. J. DONALD: The labour involved in the collection of this information is altogether disproportionate to its value, and Government are not prepared to undertake it.

Chaukidari fines and rewards.

179. Maulvi FAZLAL KARIM: Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) the amount of fines realized from chaukidars and dafadars of the Bakarganj district during the last two years;

(*ii*) the amount from such fines spent for rewards to the chaukidars and dafadars;

(*iii*) the total amount of fines remaining unspent till 1922;

(*iv*) whether such fines are spent on any heads other than rewards to chaukidars and dafadars;

(*v*) if so, on what authority is such expenditure made; and

(*vi*) if the fines are not spent on any other heads the reason for not increasing the rate of rewards?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*i*) Amount of fines realized: 1920—Rs. 10,475-1-0; 1921—Rs. 7,427-11-0.

(*ii*) Amount paid in rewards: 1920—Rs. 5,350-6-3; 1921—Rs. 9,226-8-0.

(*iii*) The balance at the end of 1921 was Rs. 9,279-10-11. The figures for 1922 are not yet available.

(*iv*) No.

(*v*) Does not arise.

(*vi*) Rule 189 of the Chaukidari Manual governs the rate of rewards to be given; the District Magistrate has, under that rule, full discretion in prescribing the scale of cash rewards for his district.

Bengal Judicial Service.

180. Maulvi HAMID-UD-DIN KHAN: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) when the new rules for the Bengal Judicial Service, which have been drafted by the Hon'ble the High Court in accordance with the recommendations of the Public Services Commission, are expected to be published;

(*ii*) whether they were approved by the Government of India; and

(*iii*) when they are going to be put into force?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): The revised rules will be published after they have been examined in the light of the Retrenchment Committee's recommendations. No definite date can be given.

Scheme of training male nurses.

181. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been drawn to the scheme of training male nurses initiated by the district board of Birbhum?

(*b*) If so, are the Government considering the desirability of suggesting to the other district boards of Bengal a similar course of action for training male nurses?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Yes.

(*b*) The Minister thinks it desirable that the experiment which is being made in Birbhum should be watched for a time before steps are taken for its extension.

Commercial and technical schools.

182. Rai MAHENDRA CHANDRA MITRA Bahadur: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state when the proposed commercial and technical schools are going to be opened at Chinsurah, Raniganj, Asansol, Krishnagar and Chittagong?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The member is referred to the answer given to unstarred question No. 151 put by Rai Harendranath Chaudhuri at this meeting.

Examination of officials and non-officials by the Retrenchment Committee.

183. Dr. JATINDRA NATH MOITRA: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) how many officials and how many non-officials have been examined by the Retrenchment Committee, Bengal, up to date;

(*ii*) what sum has been spent by the Government for the purposes of the Retrenchment Committee up to October last; and

(*iii*) what amount, if any, has been drawn by the witnesses as travelling allowance or otherwise?

The Hon'ble Mr. J. DONALD: (*i*) The proceedings of the Retrenchment Committee are confidential and Government have no information.

(*ii*) Rs. 7,020-12-4.

(*iii*) Rs. 132-5-0.

Inconvenience to passengers at Howrah railway station.

184. Babu SATISH CHANDRA MUKHARJI: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Public Works been drawn to the inconvenience caused to the passengers at the Howrah railway station of the East Indian Railway Company on account of the enclosure set up there and other measures adopted by the Railway Company?

(*b*) If so, have the Government taken any steps to remove the same?

(*c*) If no steps in this direction have yet been taken, are the Government considering the desirability of having the same removed or at least minimised?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) to (*c*) Reference is invited to the reply given to unstarred question No. 12 asked by Babu Devi Prosad Khaitan at the last session of the Council. The attention of the Agent, East Indian Railway, and the Railway Board has been drawn to the matter.

Charges of corruption against Subdivisional Officer of Khulna.

185. Babu HEM CHANDRA NASKER: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether it is a fact that serious charges of corruption were made to the Government by the Chairman and Vice-Chairman of the district board, the Chairman of the local board and other respectable citizens of Khulna against Babu Naba Gopal Chaki, Subdivisional Officer, Khulna?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state what action, if any, are the Government taking or propose to take in the matter?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Yes.

(*b*) An inquiry was held by a Commission consisting of one District Magistrate and one District Judge. The report is now under the consideration of Government.

Provident fund for teachers.

186. Babu HEM CHANDRA NASKER: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state what progress has been made in the scheme for the sanctioning of a Government grant to provident fund for teachers of aided and unaided schools?

(*b*) If the scheme is ready, will the Hon'ble the Minister be pleased to lay it on the table?

(*c*) Has an estimate of the sum required for this purpose been made?

(*d*) When is it proposed to give effect to the scheme?

The Hon'ble Mr. P. C. MITTER: (*a*) The scheme is in abeyance for lack of necessary funds.

(*b*) to (*d*) The question does not arise.

Nomination of Rai Syama Charan Bhattacharjee Bahadur as Commissioner of Bhatpara municipality.

187. Babu HEM CHANDRA NASKER: (*a*) With reference to the answer given to question No. 192 asked by me at the meeting of this Council on the 30th August, 1922, will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether

the instructions issued with circular Nos. 340—343M. of the Local Self-Government Department have been followed in the nomination of Rai Syama Charan Bhattacharjee Bahadur as a Commissioner of the Bhatpara municipality?

(*b*) If the answer to (*a*) is in the affirmative will the Hon'ble the Minister be pleased to state, whether no suitable residents were available in the Bhatpara municipality for nomination?

(*c*) If the answer to (*b*) is also in the affirmative will the Hon'ble the Minister be pleased to state the reasons for nominating a person who is not a resident of the municipality?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The appointment was not in strict conformity with the instructions issued in Government circular Nos. 340—343M., dated the 20th January, 1922.

(*b*) The Minister has no reason to suppose that there were no residents suitable for nomination.

(*c*) Rai Bahadur S. C. Bhattacharjee has been Vice-Chairman of the Bhatpara municipality for many years. He lives near the municipality in Naihati. The Commissioners of the old board passed an unanimous resolution desiring that he should be appointed on the new board, since his experience was likely to prove most valuable in connection with the new sewerage and water supply schemes. In these circumstances the Minister felt justified in departing to some extent from the circular orders referred to.

Financial help to indigenous industrial concerns.

188. Babu BROJENDRA KISHOR RAY CHAUDHURI: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing, for each of the last ten years—

(*i*) the number of applications received from proprietors of indigenous industrial concerns for financial help; and

(*ii*) the nature and amount of such help, if any, given in each instance?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) A statement is laid on the table.

(*ii*) The member is referred to the answer to unstarred question No. 45(*b*) asked by Babu Devi Prosad Khaitan in the November session of the Council. Pending legislation no grants have been made.

Statement referred to in the reply to clause (i) of unstarred question No. 188, showing the number of applications for grant of financial help to indigenous industrial concerns.

1913—1920	..	Nil
1921	...	6
1922	.	12
Total	.	18

Refunds of securities to owners of newspapers.

189. Babu BROJENDRA KISHOR RAY CHAUDHURI: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to lay on the table a statement showing the refunds of securities made to owners of newspapers since the repeal of the Press Act?

(*b*) Is there any newspaper in whose case the refund of its security has not yet been made?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble the Member be pleased to state the reasons for this?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) to (*c*) The only information readily available is that no applications for refunds of securities have been refused since the repeal of the Press Act.

Discharge of septic tank effluents into the Ganges.

190. Babu BROJENDRA KISHOR RAY CHAUDHURI: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been drawn to the Annual Report, recently published, of the work of the Hookworm Research Laboratory of the Calcutta School of Tropical Medicine, in which it is recommended that the effluents of the septic tank latrines should not be used as manures until previous examination has shown that the tank is of such construction that the development of the Hookworm ova therein is inhibited?

(*b*) Are the Government considering the desirability of ascertaining whether it is not possible that, without such previous examination of septic tanks, the discharge of their effluents into the Ganges may be prejudicial to public health?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The answer is in the affirmative.

(*b*) Apart from the investigation made by Dr. McVail systematic chemical and bacteriological examinations are being made in respect of septic tank effluents, with the view of obtaining exact information in regard to their character; and learning whether or not they have been properly sterilized. The information available at present does not indicate that the effluents discharged into the Hooghly are a source of Hookworm infection.

Publicity Department.

191. Babu JOGENDRA NATH ROY: Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*i*) the amount that is spent every month on the Publicity Department; and

(*ii*) the pay of the officers of that department?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) The average expenditure of the department up to date has been about Rs. 3,000 a month.

(*ii*) The pay of the Assistant Publicity Officer is Rs. 900 per mensem, and the duty allowance of Mr. J. N. Roy for supervising publicity work is Rs. 250 per mensem.

Water scarcity in Dacca division.

192. Babu JOGENDRA NATH ROY: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing, district by district, the number of tanks and wells excavated and re-excavated during the last water scarcity prevailing in the Dacca division by the—

(*1*) district boards;

(*2*) local boards; and

(*3*) union boards?

(*b*) Will the Hon'ble the Minister be pleased to state—

(*i*) the amount that was sanctioned by the Government for the above purpose; and

(*ii*) the amount that was actually spent?

(*c*) Will the Hon'ble the Minister be pleased to lay on the table a statement showing, district by district, the amount that has been sanctioned for excavating and re-excavating tanks and wells in the Dacca division, during the next cold weather, for the supply of drinking water to the villages?

The Hon'ble Sir SURENDRA NATH BANERJEA: A statement containing the information as far as available is laid on the Library table.

Scarcity of drinking water in Dacca and Mymensingh districts.

193. Mr. TARIT BHUSAN ROY: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that in the months of March, April, and May last, when there was scarcity of drinking water, people of many interior villages in the districts of Dacca and Mymensingh had occasionally to buy their daily requirements of drinking water?

(*b*) Will the Hon'ble the Minister be pleased to state what steps, if any, were taken by the district and local boards concerned to alleviate the sufferings of the people during the said months of March, April and May last?

(*c*) Will the Hon'ble the Minister be pleased to state whether the district and local boards submitted any report on the subject?

(*d*) If so, will the Hon'ble the Minister be pleased to lay on the table copies of those reports?

(*e*) What action, if any, was taken by the Hon'ble the Minister to provide for drinking water in the affected areas in the districts of Dacca and Mymensingh?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) No. The district boards concerned are not aware of any such cases.

(*b*) Four tanks and 54 wells were excavated by the Dacca district board during the year 1921-22. The Mymensingh district board completed the construction of 22 masonry wells, 2 ring wells and 1 tiled well. Sixty-five wells and 3 tanks are also in progress. The Jamalpur local board constructed 12 ring wells, Kishoreganj 1 masonry well and 1 ring well, Netrakona local board 15 ring wells and Tangail sank 20 ring wells and 5 tiled wells.

(*c*) The answer is in the negative.

(*d*) The question does not arise.

(*e*) The Minister is convening a conference in March to discuss the question of rural water-supply.

Dehousing of Indian workmen in Kidderpore.

194. Dr. HASSAN SUHRAWARDY: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be

pleased to state whether it is a fact that a large number of Indian workmen have been dehoused on account of the operations of the Improvement Trust in the Kidderpore area?

(*b*) Is it correct that a large percentage of these workmen are Moslem employees of the docks, mills and river-craft of the locality?

(*c*) Is it also a fact that land has been acquired by the "Trust" in other instances to provide accommodation to the population dehoused on account of the operations of the Calcutta Improvement Trust in other areas?

(*d*) Are the Government considering the desirability of taking early steps for providing accommodation in the neighbouring localities to the dehoused population of the Kidderpore area?

(*e*) Is the Hon'ble the Minister aware that large areas of suitable and cheap land are available in Behala within an easy distance of the place of employment of the population referred to?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The total number of Indian workmen displaced by the Trust's operations in the Kidderpore area is about 400.

(*b*) Of the above, 237 are Muhammadans of whom 75 are lascars who work in the docks and river-craft. Of the remainder, about 125 are menials working in the Fort or in the Commissariat Depôt at Hastings, and the balance are employed as butchers in the Orphanganj market and in the local bazars.

(*c*) Yes. The Trust acquired land in Wards Institution Lane in 1912 for the erection of model dwellings for this class of the population who had been or would be displaced by the Trust's operations. As, however, there was no demand for accommodation from the labouring class who prefer to take their compensation and make their own arrangements, the Board had to remove all restrictions as to the class of tenants and let the rooms irrespective of whether the applicants for accommodation had been displaced by their operations or not.

The Board also acquired an area of about 4 bighas in July, 1921, in Manicktolla for the purpose of letting out plots to *bustee* dwellers for the erection of huts. Up to the present no plot has been let.

(*d*) No.

(*e*) Yes, but Government are informed that the working classes have preferred so far to erect their own huts on rented land rather than to occupy dwellings constructed by the Trust, who are unable, after acquiring land and constructing suitable dwellings, to let them at rates, which can compete with the cost of huts constructed by workmen on *bustee* land.

Subhankari Irrigation Scheme in Vishnupur (Bankura).

195. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) what steps, if any, have been taken by Government to give effect to what is popularly known as the "Subhankari Irrigation Scheme" in the subdivision of Vishnupur (district Bankura); and

(*ii*) whether the Government are making any provision in the next budget in connection with the said schemes?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) No steps have been taken by Government.

(*ii*) No.

Government recognition of charitable societies.

196. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) whether it is necessary for a charitable dispensary to get Government recognition before it can ask for aid from the district fund and for a supply of quinine for distribution to the poor; and

(*ii*) what are the rules for recognition of charitable dispensaries by the Government and where are they to be found?

(*b*) Will the Hon'ble the Minister be pleased to lay a copy of them on the table?

(*c*) Why is it necessary for charitable dispensaries to get Government recognition to secure aid from the district boards?

(*d*) Are the Government considering the desirability of revising the rules for recognition of charitable dispensaries and of empowering the district boards to grant such recognition in future?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) (*i*) Yes; *vide* Dispensary Rule 3(*ii*).

(*a*) (*ii*) and (*b*) A copy of the rules is laid on the Library table.

(*c*) and (*d*) A reference is invited to sections 71 and 138(*k*), Local Self-Government Act. Government do not propose to revise the rules in the manner suggested.

Recruitment to Judicial Service by competitive examination.

197. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) whether the Government are considering the desirability of introducing competitive examinations for recruitment to the Bengal Civil Service (Judicial) like the competitive examination for the Bengal Civil Service (Executive); and

(*ii*) if the answer to (*i*) is in the negative, will the Hon'ble the Member be pleased to state whether the reason is that Government want to maintain a mode of recruitment for the Bengal Civil Service (Judicial) different from that of the Bengal Civil Service (Executive)?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) The answer is in the negative.

(*ii*) The answer is in the negative.

Appointment of Honorary Magistrates.

198. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) how honorary magistrates are appointed in Bengal outside Calcutta;

(*ii*) on whose recommendations are the appointments made;

(*iii*) under what statutory or other authority are the appointments of honorary magistrates made;

(*iv*) on what principles are these selections made; and

(*v*) whether it is a fact that a confidential inquiry is made by the Criminal Investigation Department as to the antecedents of any candidate, before he is appointed as an honorary magistrate?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) Honorary magistrates in the mufassal are appointed on the nomination of District Magistrates for a term of three years.

(*ii*) The Divisional Commissioner.

(*iii*) Sections 14 and 15 of the Code of Criminal Procedure.

(*iv*) Selections are made from amongst those who are considered suitable on account of their education, social position and readiness to devote a portion of their time to public work.

(*v*) Government have no information as to the means of inquiry adopted by the District Magistrates to ascertain the suitability or otherwise of the persons available for such duties. Probably the practice varies in individual cases.

Maximum number of votes for election to local boards.

199. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact—

(*i*) that a minimum number of votes is required in the case of the election of a member of a local board;

(*ii*) that even when there is no contest in the case of a local board election, this irreducible minimum cannot be dispensed with; and

(*iii*) that no such minimum number of votes is necessary for election as a municipal commissioner when such election is not contested?

(*b*) Will the Hon'ble the Minister be pleased to state the reasons for this differential treatment in the matter of election to a local board and to a municipality?

(*c*) Are the Government considering the desirability of doing away with this minimum number of votes required in the case of the election of members of a local board when such elections are not contested?

(*d*) Will the Hon'ble the Minister be pleased to state what section of Bengal Act III of 1885 makes it obligatory to have a minimum number of votes for election to a local board?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) (*i*) Under rule 43B of the local board election rules—where an election is contested—at least 10 per cent. of the registered voters in a thana must record their votes.

(*ii*) No, this is not the case (*vide* rule 40 as amended on 25th February, 1919).

(*iii*) This is correct, but in this respect the rules for local board elections do not differ from those regulating municipal elections.

(*b*) In the case of local board elections a provision like this is found to be a salutary one. In a small area like a municipal town, it may be taken that the voters know all about the candidates and that their absence may be taken as an indication that the voters acquiesce in the election of such candidates. Such is not, however, the case when a local board election is concerned.

(*c*) The question is based on a misunderstanding and does not arise (*vide* rule 40).

(*d*) The rule referred to under (*a*) (*i*) was made under section 138(*a*) of the Local Self-Government Act.

Decrease of work of stipendiary magistrates in Pabna.

200. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware that there is a dearth of work in the district of Pabna, the increase, if any, being in petty cases only?

(*b*) Are the Government considering the desirability of reducing the number of stipendiary magistrates in the Pabna district?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) No, but there has been same falling off in the number of criminal cases in the district of Pabna.

(*b*) No.

Charitable dispensaries in Pabna and Tippera.

201. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) the actual number of existing charitable dispensaries in the districts of Pabna and Tippera;

(*ii*) what steps have been taken to establish a larger number of such dispensaries for the convenience of the public during the last ten years; and

(*iii*) what proportion does that number bear to the area and population of those districts?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) Pabna district—16; Tippera district—23.

(*ii*) Reference is invited to the reply given to a similar question asked by Babu Jogendra Nath Roy on the 21st February, 1921. A copy of Government's Circular No. 114—18T Medl., dated the 5th June, 1922, is laid on the Library table.

(*iii*) Reference is invited to the Census Report and the District Gazetteers.

Political prisoners in Pabna jail.

202. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to lay on the table a statement showing—

(*i*) the daily average of the number of political prisoners in the Pabna jail, month by month, from November, 1921, to 31st December, 1922; and

(*ii*) the number of such prisoners punished in each of the said months with one or more of the following punishments:—

(*a*) imprisonment under section 52 of the Prisons Act,

(*b*) whipping,

(*c*) bar fetters,

(*d*) hand-cuffing behind or to a staple,

(*e*) separate cellular or solitary confinement,

(*f*) hand-cuffing and link fetters,

(*g*) gunny clothing, and

(*h*) penal diet,

and for what offences in each case?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) and (*ii*) The information is not available and the labour involved in compiling the statistics is not commensurate with the results.

Bengal Retrenchment Committee.

203. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) when did the Retrenchment Committee presided over by Sir R. N. Mukharji commence its sittings;

(*ii*) how many witnesses have been examined by this Committee;

(*iii*) what are the names of such witnesses;

(*iv*) what are the dates of their examination;

(*v*) how many written statements or memoranda have been received by this Committee;

(*vi*) what are the names of the public bodies or private persons from whom those memoranda and statements were received;

(*vii*) what are the dates of the receipt of those memoranda and statements;

(*viii*) how many sittings did this Committee hold up to date;

(*ix*) what has been the expenditure incurred on this Committee up to date; and

(*x*) when is this Committee likely to finish its labours and to submit its report?

The Hon'ble Mr. J. DONALD: (*i*) to (*viii*) The proceedings of the Committee were confidential and Government have no information on these points.

(*ix*) Rs. 16,741-11-6 up to the 15th January, 1923.

(*x*) The Committee has submitted the report to Government.

Cattle of Pabna.

204. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what steps, if any, have been taken, especially since the establishment of the Pabna Agricultural Farm, to improve the breed and number of cattle in the Pabna district?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: A stud bull has been placed at the Pabna Farm and its services are available to cow-keepers free of charge.

Medical arrangements for tea garden coolies at certain rest-houses.

205. Babu HEM CHANDRA NASKER: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Emigration) be pleased to state:—

(*i*) What medical arrangements are made by the forwarding agents of tea garden labourers at the rest-house, such as at Kharagpur, Asansol, Purulia, Naihati, Amingaon, and Goalundo; and

(*ii*) whether the Subdivisional Officers inspect the diet supplied to the coolies in these rest-houses?

(*b*) If the answer to (*a*) (*ii*) is in the affirmative, will the Hon'ble the Member be pleased to state how many times the officers visited the rest-houses during the last year?

MEMBER in charge of DEPARTMENT of REVENUE [EMIGRATION] (the Hon'ble Sir Abd-ur-Rahim): (*a*) (*i*) The Tea Districts Labour Supply Association maintain rest-houses at Kharagpur, Asansol, Naihati and Goalundo. Any cases of sickness at these places are treated at the local hospitals, the Association bearing the cost of such treatment or subscribing towards the general maintenance of these institutions.

At Goalundo a compounder is retained on the staff to deal with minor cases of sickness.

Purulia is under the Government of Bihar and Orissa and Amingaon under the Assam Government. No information is available regarding the rest-houses in these places.

(*ii*) The Subdivisional Officers do not as a rule inspect the diet supplied to the emigrants. This duty is performed by the Assistant Superintendent of Emigration concerned.

(*b*) In view of the answer to (*a*) (*ii*) this question does not arise.

Tangail water-works.

206. Raja MANMATHA NATH RAY CHOUDHURY: With reference to the reply given to unstarred question No. 12 put by me on the 23rd August, 1922, will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) when the local Committee was formed;

(*ii*) when the said Committee was asked to raise a portion of the estimated cost by public subscription; and

(*iii*) how long it is since the Committee has reported its inability to raise any amount by public subscription?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) The District Magistrate reports that at a public meeting held on the 14th March, 1920, an Executive Committee was formed to carry through the Tangail water-works scheme, and a Finance Committee was formed on the 12th January, 1921, to raise public subscriptions.

(*ii*) The member is referred to the reply given to his previous question in which it is stated that the Commissioner of the Division was informed about the financial proposals, and was asked to inquire what prospect there was of raising the local contribution. The Government letter addressed to the Commissioner is dated the 7th of April, 1922.

(*iii*) The reply given to the member's previous question did not say that the Committee had reported its inability to raise any amount by public subscription. Information was received from the local officers in the beginning of June last that the Committee had not been successful in raising the amount suggested by Government.

Drains and drainage works.

207. Rai LALIT MOHAN SINGH ROY Bahadur: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) the number of natural drains in Bengal; and

(*ii*) what drainage works have become urgently necessary?

(*b*) Are the Government considering the desirability of having a comprehensive scheme for the drainage works in Bengal?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) (*i*) The labour involved in obtaining the information is incommensurate with its value.

(*ii*) The question does not arise.

(*b*) There is at present no such scheme in contemplation.

Report of the Bengal Retrenchment Committee.

208. Babu JOGENDRA NATH ROY: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state when the report of the Bengal Retrenchment Committee is likely to be ready?

The Hon'ble Mr. J. DONALD: The report has already been submitted to Government and has been published.

Resolutions

(on matters of general public interest).

The Calcutta University.

Babu INDU BHUSHAN DUTTA: It is with a sense of great diffidence that I rise to speak on these resolutions, because I feel that I have no pretension to speak with authority on University matters. I can only speak as an ordinary man in the street. I have this advantage that, as an onlooker, I hope, I can take a dispassionate view of the whole fight that has unfortunately been going on between the Calcutta University and the Bengal Government. The matter has aroused the deepest interest and is still being discussed with the greatest heat in many a parlour.

But dispassionate people are already beginning to ask, how is it that the matter has not yet been settled? The difference of view does not seem to be, after all, very serious. It is admitted on all sides that neither the Government nor this Council has any right to interfere with the academic activities of the University. I hope it is also conceded that the University, like any other public body, should keep its accounts according to the rules laid down by the Accountant-General. Any one who is not a partisan should regard these views as fair. Then, why quarrel about the details? What, after all, is this fight about? Some conditions were suggested by the Hon'ble the Minister for the financial improvement of the University. It is not as if all the conditions, as such, were absolutely unexpected or repugnant to the University. As early as November, 1921, eight months before this money was sanctioned by this Council, the Hon'ble the Minister clearly stated in a letter that help would be given under certain conditions and subject to certain contingencies. The University authorities knew of this letter, before they applied for funds in February, 1922. How can anyone then

say that the conditions were absolutely unexpected? As for the conditions themselves, one of the strong supporters of the University authorities, I think it was Dr. Hiralal Haldar, said on the 2nd December, 1922, in that memorable Senate meeting—

> We are not obstructive in spirit and are not unwilling to do what we can to put our house in order. Of our own motion, we have, in the budget rules, adopted most of the suggestions of the Accountant-General. . . Then why keep up the strife any longer?

I also join with him and ask—" Why keep up this strife any longer?"

Mr. Ajoy Chunder Dutt, the young advocate of the University, also admitted yesterday that most of the conditions suggested by the Government were good, nay, he went on to say that some were very good, and had already been given effect to, but that they would not admit it. (Cries of: " It is not so.")——

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): I must ask members not to interrupt the member who is in possession of the House. He should be allowed to conclude his speech without any interruption.

Babu INDU BHUSHAN DUTTA: I think Mr. Ajoy Chunder Dutt did say so. I particularly noted this point. They would not admit a thing that they have done. This is a most strange mentality. Is it not like the petulance of a child? I am afraid Mr. Ajoy Chunder Dutt has annihilated his cause by this confession. If you have accepted the conditions, where is the quarrel? It is said by some that the conditions have been imposed at the point of the bayonet. Is that the whole truth? My reading of the situation seems different. We also want to think truly, to speak truly, to act truly. Truth is not confined to any particular areas. Whatever my friend, Dr. Jatindra Nath Moitra, may say at the Senate meeting, it is well known to every one in this Council—at least to everyone who knows how resolutions are withdrawn and votes manipulated, that there was a strong feeling against the present managers of the University on account of the Council's recommendation regarding the appointment of a Financial Committee having been practically brushed aside. Though I have opposed the Minister several times, and though I mean to oppose him tooth and nail, if he tries to interfere with the academic autonomy of the University, I do say that had he not made that announcement that the University authorities had at last decided to submit their accounts, these Rs. 2½ lakhs might not have been granted. I quite admit that the letter conveying the conditions has been tactless, I quite admit that some of the conditions were unnecessary, but is that reason why a committee should be appointed and vituperation indulged in a full-dressed debate? Would it not have been more dignified for the Senate to reply to the Secretary that some of the conditions had already been adopted and that the rest were

impracticable or impossible? Would it not have put the Minister in a false position? Everyone agrees that with reference to the 60 per cent. of the deficits, the University authorities had no control. Both the Government and the University have found the non-co-operation movement a good target to hurl their abuses at; but what about the balance of 40 per cent.? Are they sure that they might not have prevented these? Do they not now say—"We shall retrench and live within our means?" This is just what had been asked. Then, where is the dispute? This Council cannot foment this quarrel any further. It has already degenerated into something like a personal squabble. The matter has gone too far. It is a standing disgrace to the fair name of Bengal and to her administrators that not one person has been found, who could rise above these dissensions and effect a compromise between the parties. I say, Sir, it does not speak well for the training of the Calcutta University that so many of her glorious sons, both in the Senate and in the Council have continued these unseemly bickerings. Let there be an end of all these. Let there be a peace conference, if I may use that term. Let all personal vanities be forgiven and forgotten. The matter can be arranged in a very short time, if there is a will behind. There is no question of slavery, no one wants to fetter the activities of the University. If the University authorities, in their great and admirable zeal, have gone beyond their income, it is after all not a great fault of theirs. They had every right to expect Government help. If, however, practical accountants have to remind them that this expectation was not justified either on account of the want of sympathy of the Government of India, or of the bankruptcy of the Bengal Government, there is nothing to be angry about. They have to curb their zeal for a time; that is all. We must all endeavour to put a stop to this quarrel, and then this money and more should be forthcoming for the development of this great University. Neither the present authorities of the University nor the present Department of Education have a right to stifle the University, simply because they cannot make up their petty quarrels.

DIRECTOR of PUBLIC INSTRUCTION (Mr. W. W. Hornell): When the letter which conveyed to the University the now notorious conditions was written, I was far away from here in the solitude of the Australian Bush. I merely mention this in passing, because I quite realize that is a matter of complete indifference to the members of this Council whether I was in Australia or Amsterdam—for even if I were in Amsterdam I had not gone there to speculate in guilders either on behalf of a bankrupt University or an impoverished Government. But at an rate I was not here, and consequently I was not in any way responsible for those conditions, and I feel no personal responsibility whatever towards them. Being in a position of this kind, feeling no responsibility and being able to say with the schoolboy—"It is not

me, Sir, it is the other chap" is, I must confess, a rôle of considerable fascination to a rapidly ageing servant of a past *régime* whose one prayer to Heaven is that he may be allowed to pass the rest of his official life in peace and quietness in the undisturbed enjoyment of his exiguous emoluments.

A feeling of joy at the discomfiture of one's fellow-creatures, specially if they happen to be one's official superiors, is one of the most subtle forms of self-satisfaction, and I came to yesterday's meeting expecting to derive a certain amount of mild enjoyment from the trouncing of my Minister, but so far as I could follow the debate, I was disappointed. The worst his most scathing critic could say of him was that he was the spiritual successor of Sir Mian Mahomed Shafi and Sir Sankaran Nair.

Then again I had expected that the champions of the University would unmask the conditions in all their inherent tyranny. I had read the conditions, and had even heard them discussed privately and I am bound to confess that I had not been able to discover in them anything very sinister. On the contrary, Mr. Dutt, pleading with admirable lucidity, showed us that the University had really accepted the conditions and had indeed carried them out. Professor Mukherji's sonorous periods were unfortunately interrupted by the bell. Had it not been so, we might have heard why the conditions were objectionable, but we did not hear this. We heard instead his eloquent appeal for the development of the University. He said that, though it might be counted an extravagance, it could scarcely be counted against the University as a sin, that it had developed facilities for the enlightenment of the country.

I have been an *ex-officio* member of the Senate and the Syndicate for 10 years. I was a member of the Committee from whose report resulted the Post-graduate Department. I was also a member of the Calcutta University Commission. I have spent the best years of my life in educational work in Bengal. I do not claim that I have succeeded in anything, but I have tried to work in harmony with the University. I do not regret the years that I have spent here for all their strenuous ineffectiveness. But if anything could tempt me to do so, it is the lamentable relations which now obtain between the University of Calcutta on the one hand and the Ministry of Education and this Council on the other. The situation is extremely serious, more serious than is generally understood. If the University is to close down, if its working is to be thrown out of gear, the whole educational system of this Presidency will collapse. It seems to me, therefore, that we have come to a time when the truth of the proverb is illustrated "the least said, the sooner mended."

The Hon'ble the Minister has suggested a round table conference. He has said that he was prepared to examine each of the conditions and

to insist upon nothing beyond his own personal assurance that the University will henceforth conduct its business on a sound footing. The champions of the University have assured the Council that the University has already gone beyond the requirements of the Minister in the matter of financial safeguards. If that is so, I would say with Mr. Indu Bhushan Dutta—" What in Heaven's name are we wrangling about?"

Of course if the Ministry of Education is to the University as it were the spirit of evil and destruction, the spirit whose very gifts are poisonous, there is nothing for it, I suppose, but to fight the matter to a finish. But those who regard such a course with complacency must, I think, ponder for a moment that there will be hundreds of thousands of boys who, while the fight is raging, are losing years which they will never recover.

The attitude of the Minister being what he has expressed, it seems to me that the obvious course would be that these resolutions should be withdrawn (" hear, hear "), and that we should proceed to the next item of business. After all we are not discussing the reconstruction of the Calcutta University. The Calcutta University is a body corporate created and fenced round by its Acts of Incorporation and by its own regulations. No jot or title of these Statutes can be altered without legislation undertaken in this Council. Legislation is foreshadowed—it is even now almost on top of us, and I would ask the Council in all seriousness, what earthly purpose, save the further confusing of issues, can be served, until we know what University Bills are going to be produced at this session—what earthly purpose can be served by creating more committees and convening more conferences? I have suggested that the obvious course would be to withdraw the resolutions. If, however, the movers of the resolutions cannot see their way to do that, at least let the Council have a chance of facing the straight issue which seems to me to be this: Is the considerable sum of money which has been voted by this Council to be paid to the University without any conditions whatever or should those conditions which have already been imposed be insisted upon? The purport of the resolutions which have been moved by Mr. Dutt and Professor Mukherji favour the first course, while Mr. Sarkar's resolution favours the latter. If the resolutions cannot be withdrawn, let us have at least a straight vote on this issue and let us not confuse the issues by further recriminations and by suggestions of conferences and committees which can lead at this juncture to no possible result whatever.

Babu NIRODE BEHARY MULLICK: At the outset I would like to make it clear that I feel inclined to support the resolution of Mr. Ajoy Chunder Dutt. My position is exactly the same as was taken by one of the far-sighted administrators that ever set foot in India. I refer

to the beloved personality of the late Governor of Bengal, Lord Ronaldshay. In an address delivered at the Convocation of the Calcutta University in 1922, His Lordship was graciously pleased to observe—

> I am not disposed to deny that in a poor country there are obvious limits to the extent to which such studies can reasonably be financed by public funds. The Legislature will, I hope, be prepared to make some additional contribution towards the University in its present difficulties. But the Legislature itself with extremely exiguous resources is faced with many urgent demands.

The curtain over this question ought to have fallen here; but unfortunately it has not.

It appears to me that both the Government and the Calcutta University authorities have been pursuing a rather less important issue and at the same time losing sight of one of the most important problems, viz., the financial aspect of the question. Both the Government and the Calcutta University authorities ought to remember that there are millions of people in this province belonging to the most backward classes who, though contributing no less than Rs. 6 or 7 crores, do not get perhaps one lakh of rupees even in return for the sum. Both the Government and the Calcutta University authorities ought to remember that primary education—a parallel in importance to which I cannot conceive—is not getting its proper share of attention owing to financial stringency or otherwise. In the face of such a situation, is it not desirable that the Calcutta University should set a limit to its activities? I am not one of those, Sir, who admits that everything is right with the University. But I say that, if there is anything wrong that should be remedied—not by imposing conditions for which there is no longer any necessity as a evident from the speech of Mr. Ajoy Chunder Dutt—but by reconstructing the machinery of the Calcutta University in such a way so that the Muhammadans, the backward classes, and others can have their due and adequate share.

With these few words, I support the resolution of Mr. Dutt.

Maulvi YAKUINUDDIN AHMED: I think the postponement of the giving out of the grant of Rs. 2,50,000 which was voted for the Calcutta University, is an action which the Hon'ble the Minister for Education has to account for. He has accounted for it by saying that, although no condition was laid at the time, yet he has, as Minister, to say that the money is to be spent properly and in a business-like manner. I regret that such an august body as the Calcutta University has to be taught in this matter just like the village schoolmaster as to whether he has spent the money properly or not. Sir, I say there is a great difference, as wide as the poles asunder, between the village school and the Calcutta University. The University is by this way going to lose its prestige; and sooner or later—if the grant is not given at the proper time—the prestige of the University will be gone. I submit that over

and above Rs. 2,50,000 which the Council was pleased to vote for the University last year—though unfortunately that money has not yet been made over to the University—a further sum of Rs. 2,50,000 should be provided for in the current year's budget. I am sorry that now after haggling for one year the same thing is going to be repeated this year. When the grant of Rs. 2,50,000 was contemplated to be given and the Council voted the grant, the Hon'ble the Minister only said that there was a considerable feeling at the time that the University was not revealing its financial condition. The University revealed its financial condition soon after and even then this grant of Rs. 2,50,000 was not paid. As soon as the Minister got an account of the financial situation from the University, it was sent to the Accountant-General, Bengal, for scrutiny. Is this the way to delay the grant that has been voted solemnly by this august assembly? Is this the reformed Council that the Hon'ble the Minister would not carry out the wishes of this Council and would delay in that fashion? The reasons are only known to the Hon'ble Minister himself. It has been said, with regard to the financial condition of the University, that some earmarked money has been spent for other purposes. Sir, Government knows very well as also the Minister that earmarked money is often diverted for "other purposes" and it is not a criminal thing at all.

I beg to submit that, for an Arts College for the Muhammadans, there was a lakh granted for the purpose in the last budget. A piece of land was acquired and it was lying fallow. We expected that, when the piece of land for the Muhammadans Arts College was acquired, we should see buildings raised upon it locating the poor Muhammadans for their education. Where has that earmarked money gone to? It has gone to other purposes. If the Government can spend money—earmarked money—for "other purposes," why the University should be taken to task for diverting the earmarked money for "other purpose"—I wonder!

There is another accusation that German marks have been purchased. In this Council it is the Minister, with his Secretary and Assistants, who has the proper scrutiny of this financial matter, but against him there is none. Dr. Moitra tried in some way, but he is not acquainted with all the financial conditions.

Babu SUBENDRA NATH MALLIK: I rise to a point of order, Sir. In the absence of the member is he entitled to say that he is not conversant with the account?

Mr. PRESIDENT: It is very difficult to say whether the particular member is present or not. The member who is addressing the House has probably said what he has to say about the matter.

Maulvi YAKUINUDDIN AHMED: I submit that is only a special pleading and an *ex parte* pleading that German marks have been purchased and the University is maligned and the Vice-Chancellor is maligned. I think that both sides of the question ought to be seen. It is stated that many instruments are purchased from Germany and they are to be paid in German marks. I do not know what was the reason that these German marks were purchased for. It is for the University, for the Vice-Chancellor and his Accountant to answer this question. I say we are not in a position to answer it and the Council should think twice before believing an *ex parte* pleading of the one side of the question. Therefore, I think these resolutions should be supported and never withdrawn.

With these few observations I resume my seat.

Kumar SHIB SHEKHARESWAR RAY: This University wrangle is baffling to an ordinary observer. The number of resolutions that have been brought forward and the speeches that have been made in their support are so widely divergent and contradictory that they are bewildering to the majority of us, who, in the opinion of the University itself, are mere "amateurs." But, Sir, what are we, the "amateurs," to do now? The University was offered money by the Government and the University with the unanimous opinion of a Committee appointed by it to consider the offer, has rejected it. It has published a fairly big report covering about 182 pages vindicating this refusal. Authorities—English, Scotch, Canadian, German and even gubernatorial—have been cited *en galore* proving conclusively that Government grants ought not to be accepted. It quotes the Chancellor of the Exchequer for showing that "with Government money given in large quantities, will go Government control." That is true enough. Nobody disputes that and nobody would ever dispute that. If you accept a Government grant, it goes without saying that you must submit your accounts to the Government and satisfy it that the money is well spent. Such self-governing public bodies as municipal corporations and district boards which get comparatively little financial aid from the Government have to submit their accounts regularly to the Government for its inspection and have their financial proposals examined. Sir, it is absurd to think that any public body established by law for a public purpose and maintained by public funds and taxpayers' money should object to an interference by the State specially when it is found heading towards bankruptcy by spending more than its income.

Even if the University refuses to accept the grant, we cannot allow the matter to rest there. The Government have a duty to discharge to the public. It cannot allow the greatest educational institution of the land, deriving its authority under the Statutes to play with its assets and liabilities, and I am glad that Bills are to be introduced for a better

organization of the University though, Sir, I would have been more glad if our Minister had pluck and courage enough to tackle the problem on behalf of the Government. But that is another story. Coming to the resolutions, I really cannot understand the solicitude of some of the members of the Council who are bent upon thrusting our gifts on unwilling donees? I appreciate the attitude of the members who say—"accept the money, accept the conditions as well." I appreciate also the attitude of the University when it says—"We will not accept the conditions and we will not accept the money." That is something straight and fair. But why do some of us rush to the Council with multifarious proposals? Would they ask us to believe that this learned and academic body is merely flirting with the Government and by refusals asking for more? Or are those friends trembling in their shoes because the authorities of College Square have fulminated on liberty and freedom? Liberty and freedom are good things, no doubt, but when in their names one shirks submission of accounts, one conjures those holy things to support unlimited expansion and expenditure with no funds to back save that contributed by the taxpayers of Bengal, I think with the poet that "License they mean when they cry Liberty."

Are we going to be brow-beaten, to be bullied into submission? When the gods of College Square thunder, are we to cry *Kamerad, Kamerad* and seek to ingratiate ourselves into the favour of those gods?

I have carefully gone through Chapter VII of the Government Grant Committee Report of the University where it has tried to prove the injustice of the conditions. Save and except the eighth condition, which relates to the payment to professors and examiners, all the other conditions relate to keeping proper accounts. And the University says that it cannot accept the grant coupled with those conditions as they would not submit to them. But I understand that the professors have been paid and here a champion of the University said yesterday that the University has practically fulfilled all the conditions although it does not choose to say so. I fail to understand what he means by it. Does he mean that the University does a thing and chooses to say something else? After all there is a comic element in the whole thing. It is very like the housewife in a huff refusing to accept her household expenses when the master of the house reminds her to keep clear of the creditors.

I think no useful purpose can be served by this unseemly wrangle with the University. It is desirable that the University should accept the Government grant. And as the conditions have been almost fulfilled, the sum already granted may be made over to the University unaccompanied by any more tactless letters from the Ministry of Education. But it is also necessary that the University should approach the Government in a proper spirit and discuss the propriety or otherwise of

the conditions imposed for future occasions for I do not claim infallibility for our Minister by whom I am afraid the matter has not been quite tactfully and properly handled. The welfare of the University cannot but be the supreme concern of the Government and the people, and we, their representatives, are here to see that both the Government and the University carry on their work peacefully with the good of the country always before them. If any of them goes astray, it is our duty to correct the one as much as the other. In the present instance the executive heads of both the Education Department and the University have apparently misunderstood each other and have been working at cross purposes, and I cannot therefore support any of the resolutions. I wish some higher authority would intervene and set the matter right and I hope I do not wish in vain.

Khan Bahadur Maulvi EMADUDDIN AHMED: We have heard the arguments advanced by both sides. As has been pointed out by the last speaker, self-governing bodies, of one of which Maulvi Yakuinuddin Ahmed is the Vice-Chairman, have to submit accounts to the auditors appointed by Government. The financial condition of all local bodies are scrutinized by Government auditors, and I do not see why any difference should be made in the case of the University. It is not that our Minister is going to interfere with the internal management of the University as Maulvi Yakuinuddin has suggested. He said that we ought to save the drowning man. Our Minister is trying to save the drowning man and by imposing certain conditions he is striving to see that this man does not drown himself any more in the future. This is the policy which is being adopted by our Minister. Of course, we understand that of the total deficit, Rs. 3 lakhs may be set down to the credit of the non-co-operation movement and over this the University had certainly no control. But what about the other Rs. 4 lakhs? My friend, Dr. Moitra, has stated that this is due to the establishment of other universities. Well, I think the Calcutta University knew all this, they knew that these universities were going to be created and they ought to have adjusted their accounts accordingly. When you find that you will not get the income which you had previously, it is all the more reason that you should take steps to see that your accounts are put right and you go on in a business-like manner.

As regards the other point mentioned by Maulvi Yakuinuddin Ahmed that the grant of Rs. 2½ lakhs sanctioned by the Council was unconditional, I submit that we were present on that occasion, and our leader, Maulvi Fazl-ul Haq, moved a resolution against the grant, and it was on the assurance of the Hon'ble the Minister that he would see that the amount was properly spent that he withdrew his resolution. The feelings of the Muhammadan members, except perhaps of Maulvi Yakuinuddin Ahmed, were very great against the grant. But now

Maulvi Yakuinuddin Ahmed comes forward and says that the Minister should not do this or that. I cannot understand his logic. Everything ought to be done in a business-like manner. If any person connected with a public body does not work in a business-like manner, however august he may be, it is the duty of Government to point out the defects and issue instructions. We find that when big zamindars fail in their concern, Government steps in and takes charge of the zamindary, and I do not see why this procedure should not be followed in the case of the University. It is simply scandalous to take money from non-existent funds, but my friend Maulvi Yakuinuddin Ahmed says that there is nothing objectionable in taking earmarked money. The Minister has, however, pointed out that they have taken not only earmarked money but money from trust funds as well, to which the Minister takes exception. The trust fund money has been handed over by persons to the University for certain purpose and the University has no right to take money from that. We say that the Minister is quite right in imposing conditions, and we shall not be satisfied unless the University works in a business-like manner.

Rai JOCENDRA CHUNDER CHOSE Bahadur: The matter before us is not very difficult of solution if it is approached in a fair and impartial spirit. We have been hearing for the last six months about the freedom—the autonomy—of the University being in danger on account of the action of the Hon'ble the Minister in laying down certain conditions about the grant. Universities in India and Europe were formed round great teachers and writers by students eager for knowledge and very often indigent. Knowledge and wisdom are based on freedom, but I am afraid that ideal our university has not got before it. Sir, for the last 10 years we have had doctors of science and philosophy in scores, but none of them has brought out any work of outstanding merit. This University of ours is not a place where freedom has its fullest scope. This University has come into existence by the favour of Government; its heads are all Government officials, either Judges or Ministers. A learned writer or a teacher will be out of place there. Gentlemen who bask in official favour need not speak so flamboyantly of freedom. This University cannot exist without the vivifying influence of the sunshine of Government patronage. Government patronage is enjoyed by those gentlemen who are at its head now. This state of things should surely be changed. When Government makes a grant, when anybody makes a grant, he has a right to lay down conditions. But the matter is a little different here. The allocation of grant to the University has been entrusted to this Council to which a degree of freedom has been granted. I, therefore, cannot admit the claim of the Hon'ble the Minister that he can lay down conditions—that he can tamper with the vote of unconditional grant by this Council. That claim is not sustainable, and I here standing on behalf of the Council protest against the assumption of

that power by the Hon'ble the Minister. But, Sir, there have been grave irregularities in the action of the University—irregularities so cruelly, but so justly, exposed by our Minister. These irregularities are due only because the Senate is a wholly unrepresentative body, responsible to only one person. This state of things this Council shall mend and, I understand, the Hon'ble the Minister is taking steps in that direction. The freedom of the University must be maintained at all cost, but that does not mean that the directions of the Accountant-General should not be complied with; that does not mean that the Accountant-General shall not be allowed to examine the accounts of the University. That claim of the University is preposterous. Sir, the present Senate cannot exist if the Hon'ble the Minister brings out his long-delayed Bill before us for more than three months and the present Senate will do well to accept the money that has been granted to it and pay off its debts. Sir, I believe it is the opinion of the great body of graduates and also of my countrymen that the conditions imposed by the Hon'ble the Minister beyond those of the obligation of carrying out the directions of the Accountant-General should be withdrawn. The Hon'ble the Minister himself has practically admitted that and is willing to do that. Where then is there any difference between the contending parties? What are you crying about? If anybody here says that the Accountant-General shall have no power, with him I shall not argue this matter. Any reasonable man will say that. There is no unreasonable man here who will like to kick up a row simply to attract the attention of the public or the dispensers of favour. We are thankful to Sir Asutosh Mookerjee for his insistence on the freedom of the University, but I believe he will now see that after the concessions made by the Hon'ble the Minister, he has no option but to accept the money and to close this quarrel. I ought to mention here what was mentioned by the Hon'ble the Minister yesterday that upon his recommendation the Education Committee, of which I am an humble member, has agreed to grant a further sum of Rs. 3 lakhs in order to enable the University to clear off its debts. I really am at a loss to understand what you are crying about. I do hope that everyone here will withdraw his amendment since there is nothing to cry about.

Maulvi EKRAMUL HUQ: Much has been said for and against the University and the Hon'ble the Minister for Education. Yesterday my friend Rai Harendranath Chaudhuri enlivened the controversy by comparing it as a fight between a tiger and a buffalo. If it were a matter personal to the Hon'ble the Minister and the Hon'ble the Vice-Chancellor, I might have asked you to decide whether such a simile did actually apply, but so far as this Council is concerned, we are disinterested persons, and it is our duty to consider all the resolutions that have come before us in the light of disinterestedness. As we all know, the Hon'ble the Minister is in charge of public funds, and it is his duty

in that capacity to see that the money is not wasted in the least, and in that capacity it is not unusual for the Minister to impose conditions and terms whenever he finds them necessary. But a complaint has been made that instead of giving advice, the Hon'ble the Minister has gone forward with money in one hand and slavery in the other, and as such to liberty-loving people slavery cannot be acceptable. The Minister has been charged with attempting to humble the University, but to my mind, the conditions imposed by the Hon'ble the Minister are of a nature which any reasonable man who is entrusted with public funds ought to impose. We know it very well that the University has in the past wasted much public money on petty schemes which ought not to have been taken up. Under these circumstances, by imposing such conditions, the Hon'ble the Minister has, to my mind, done nothing wrong. It has been said by my friend Maulvi Yakuinuddin Ahmed that now that the University is drowning, it is our duty to save it, but if it was actually a case like that, then the drowning man ought to have caught the straw, but in this particular case it is not a question of a man being drowned, it is the question of the University being drowned and that is not a matter personal to them. But, Sir, whatever it may be, we should not approach this matter in a spirit of rage. We should try our best to see that an amicable settlement is reached which will be acceptable both to ourselves and the University. I would add my feeble voice to the appeal made by the Hon'ble the Minister and Mr. Hornell that all the members who have given notices of resolutions should withdraw them and afford an opportunity to both the parties to come to an amicable settlement.

Dr. PRAMATHANATH BANERJEE: It is a most unfortunate circumstance that a great deal of heat and passion has gathered round this controversy. Invectives, mutual recriminations, attacks and counter-attacks do not benefit either of the two parties concerned, the Government or the University. I would, therefore, appeal to all members of the Council to consider this question in a spirit of sympathy and with a sincere desire to find a real solution of a difficult problem. Sir, the situation is this. The University is badly in need of money; its critics say that the University has defects. True, the University is not free from abuses. But when this aspect of the question presents itself before the members of the Council, I would, in all humility, ask them to recall the words of one of the greatest of political philosophers. Burke says:—

> He should approach to the faults of the State as to the wounds of a father, with pious awe and trembling solicitude.

We all acknowledge the University as our mother. She is suffering from maladies, but should we, for that reason, strangle her or hack her to pieces? Or should we not, rather, nurse her, feed her, and provide

suitable treatment for her? The Calcutta University, in spite of its many shortcomings, has rendered great service to the community. It has helped to build up our nation. And those of us who have recently paid visits to Europe will tell you that in those countries they know only of one Indian University and that is the Calcutta University. I can assure you that the Calcutta University is capable of rendering much greater service to the community in future than it has done in the past, and therefore, is it not our duty to help the University in the great work that she is doing, instead of trying to kill her?

Maulvi RAFI UDDIN AHMED: I beg to support the resolutions of Babu Rishindra Nath Sarkar. Considering the present financial position of the Government it was our humble duty to our countrymen to ask the Government to spend money judiciously, and Government, in accordance with our recommendations, attached certain conditions to the University while granting the money. Sir, we all know that times out of number we asked the Government to submit the accounts of the University and Government failed to do so owing to the obstinacy of the University. We were reluctant to grant a farthing to the University without knowing how the money is being spent. Our unfortunate Minister came to the rescue of the University by his assurance that proper accounts will be kept and submitted and that the expenditure of the University will be controlled. It is then and then only that we agreed to give the money to the University without a word. And now the poor Minister has been heckled in the name of liberty. Sir, we know full well all about our liberties. If liberty means extravagance, if liberty means irresponsibility, the less it is resorted to the better.

Dr. JATINDRA NATH MOITRA: May I rise to a point of order? No member here used the word liberty.

Mr. PRESIDENT: I heard that word used by several members in the course of this debate. That is not a point of order. Please go on, Maulvi Sahib.

Maulvi RAFI UDDIN AHMED: We, poor fellows, have been described as fifth-rate men representing the people and posing ourselves as the custodians of public wealth. Why should then the first-rate men come to the fifth-rate men at all? We are fortunate that we have no such first-rate men amongst us. The Hon'ble Minister did not impose conditions on his own accord as alleged by the Vice-Chancellor. It was forced upon him by us.

My friend Maulvi Yakuinuddin Ahmed has suggested the story of the drowing man and we ought to help the drowning man, but if the man is not really drowning but playing and swimming and tells us—"I will die, nobody shall help me," should we still go and save him? We do not know if he is really swimming or drowning.

Whatever common sense we may have we must use it for the interest of the public whom we represent and ask for the accounts and proper expenditure of the money by howsoever high a personage it may be spent. We have never challenged the honesty of the University. It is only our friend Dr. Moitra, my esteemed friend holding a brief for the University, who set up the question of honesty. This reminds me of the Bengali adage—"*Ghare ke? Ami ta kalá kháini*" (Who is inside the room? Well I have not eaten up your plaintains). Accounts demanded by a proper authority are not submitted—what does it mean? This is at least suspicious. Above all, this is a business concern, and the accounts must be properly kept. Further, Sir, we have been told that the trust funds have been utilized—converted to its own use. My friend Professor Mukherji was telling me it will be recouped and that it is not theft. I say it is not theft, but it is breach of trust at least. Lawyers must answer if it is so or not. It is at least against the wish of the men who made over their money to the trust funds. Sir, the real reason of the obstinacy of the University to my mind seems to be that it does not care to be controlled by the local Government far less by its Minister. When one leaves the service of a big man and takes up service under a poorer man, he often recalls his old days, however bad they might be, and tells stories of his happy past whenever he is asked to do something which he possibly evaded while a servant of the big man. This is exactly what happens here. This University was under the Government of India when that Government was rich and did not care for deficits. It could do anything it liked then and nobody questioned it. This is what is meant by the so-called liberty. Now this poor Government cannot indulge in the hobbies of the University and hence the cry for the happy past.

With these remarks I support the Minister in his action and the resolution of my friend Babu Rishindra Nath Sarkar.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I am really surprised that the flood-gates of oratory have been opened over a question, which should not have been discussed in this Council at this stage, and that for two consecutive days to the detriment of other public business. We voted a certain amount of money for the upkeep and the maintenance of the University, at the beginning of the year and the year is not yet out. There are still two months. I think that there is still time for the payment of the money and for its acceptance by the University. We have been told by the movers of some of these resolutions, that the so-called conditions imposed by the Hon'ble the Minister have all been fulfilled. If that is so, I for one do not see, where the hitch lies in the acceptance of the money. There is still time and some ways and means can be always found for accepting the money and for avoiding the unseemly quarrel over a matter which is really dear to

the people. It seems that this Council of wise men have been led away by newspaper controversies. Newspaper controversies over this question centre mainly round the question about the independence or freedom of the University. Freedom from what? From the control of Government? Certainly not. That is not the sort of freedom that can be advocated and the freedom that can be advocated is academic freedom, which has never been questioned. When the University legislation comes up before the Council, then it will be time for us to discuss that question. If any proposal is made to curtail the liberty of the University, I think that we, as a body representing the people, should set our face strongly and boldly against such a proposal. That is the time when we have to fight, but why should we, before the 31st March when once we have voted the money, discuss the question whether the University should accept or should not accept the money? The University has still time to accept the money, and we have still time to pay the money. The Hon'ble the Minister is quite ready to pay the money, so I think, that all this discussion is not only unseemly but premature, out of place and out of time. Under the circumstances, I echo the words of Mr. Hornell, the Director of Public Instruction, Bengal, that all these resolutions should be withdrawn. We have still two months and some ways and means may be still found, for avoiding all these difficulties and for making the money over to the University.

With these few words, I request the movers of all these resolutions to withdraw them.

Babu AMULYA DHONE ADDY: I move that the question be now put. We have thoroughly discussed the question and repeated the arguments again and again.

Mr. PRESIDENT: I am not prepared to accept that. There are several more speakers, whom we ought to hear.

Babu SURENDRA NATH MALLIK: Owing to your gentle and well meaning admonition last evening, I have taken care to put down my thoughts in writing to avoid all harsh language.

My attitude towards the Calcutta University has been so often and so grossly misrepresented that I almost feel a shudder in my limbs in rising to take part in the debate this afternoon. But I cannot afford to be silent. We have a clear duty to perform in the Council and that duty is to see how best we may help our *alma mater*. To those who abuse us, I can only say in the words of the Hon'ble the Vice-Chancellor—"They have said, what say they? Let them say." Sir, it is a libel, an atrocious libel, to suggest that we are out to wreck the University, and that we here have all made a dead set against the Vice-Chancellor to hand over his *khas mahal* to the Education Minister. I desire to repudiate that lie with all the emphasis I can command, and I assert

on my behalf and on behalf of my brother Councillors here that we are all of us as much interested in the freedom of the University as any of the savants of College Square. The only difference between them and us is that we want to give the University real freedom, and not the specious brand of it, which consists in merely shouting from the stage, "Freedom first, freedom second, freedom always,"—in shouting like that when it pays to do so—while in actual practice crushing that precious commodity beneath your ponderous heels in every day administration.

It is a false cry they have raised on the fitful banks of Goldighi that University autonomy is in danger. This has been done with a set purpose: it is nothing more than a piece of strategy and statecraft. The Accountant-General gave a very damaging report. That had to be met. To the main charges there was, of course, no answer. The issues had, therefore, got to be clouded—and what more effective way could there be of achieving that object than to cry out that the Government were trying to lay their impious hands on the sanctuary of Minerva? Sir, we have before us a very plain issue: whether the conditions proposed by the Minister should remain or not. Professor Mukharji has stated that the matter is highly controversial. Is it because the University has been publishing these voluminous reports of various committees from day to day, and sending them broadcast all over India with a view to cloud the issues? No, Sir, the matter is very simple and I hope that this attempt to prejudice uninformed public opinion under the weight of these unnecessary and voluminous reports will be of no avail with by hon'ble friends here.

What is the object of these conditions? To any unbiassed mind can there be any doubt that their only object is to ensure sound financial administration, and to avert, as far as possible, the disasters which have led the University to its present ruin? Is it contended that this is not necessary, and that the University might very well be allowed to look after this matter themselves? Sir, if you want an answer to that question, read the Accountant-General's report. He is a person who deals with figures, not with invectives: who rests his case on solid facts, and not on wild vituperation. Mr. Ajoy Chunder Dutt and others tell us that the Government Grant Committee of the University have completely demolished the charges of the Accountant-General. But is that so? Sir, I have read the report of that Committee very carefully, and I confess I must admire the skill with which its illustrious authors have tried to make the worse appear as the better reason. I must admire also the very clever tactics by which the reports has been crammed with all sorts of irrelevant and extraneous matters with a view to divert attention from the main points at issue. The authors of that report spare no invectives in abusing the Government for their niggardliness to the Calcutta University. Granted the Government have been niggardly: but how does that disprove that the financial administration of the University was anything but satisfactory? If you are charged

that you did not keep a proper watch over your income and expenditure,—if you are charged that you exercised no control over your financial concerns,—if you are charged that you went on expanding and expending, and incurring new liabilities, not merely regardless of your resources, but knowing that you had no resources,—if you are charged that you did not prepare your budget estimates till about half or three-fourths or whole of the year was out,—if you are charged that you allowed transfers from one fund to another, whether or not there was cash available in that fund,—if you are charged that though your accounts were audited by Government from year to year, you simply reduced the audit to a farce by refusing not merely to take any action on the audit reports, but even to acknowledge receipt of the same,—I say, Sir, if charges like these are brought against you,—charges which are by no means vague and general, but very definite and specific,—is it any answer to such charges to say that the Indian Universities Act of 1904 revolutionized our conceptions of the functions of a University? Is it any answer to say that the Government of India and the Government of Bengal would not give any more money than they actually gave? Is it any answer to say that the Education Minister is one of the queerest and most heartless mortals living on the earth?

Sir, I mean no disrespect to the members of the Senate Committee, but I undertake to demonstrate to any unprejudiced person that they have carefully avoided the main issues in point, and have indulged in long historical surveys and in strong denunciations which practically lead us nowhere.

The Senate Committee have given us a very voluminous report with a large number of annexures. I should have thought, Sir, that when they were dealing with specific points raised in audit and accounting, the best course for them would have been to publish copies of the annual audit reports, say, for the last ten years, with a categorical statement of the action taken by the University to remove the irregularities complained of, or where no action was taken, a statement of the reasons for it. I do not know if members of this House are aware that the Accountant-General's audit reports for the last three or four years were not replied to by the University in spite of repeated reminders, and I shall not be surprised to hear that they have not been replied to as yet. The Senate Committee make a great point of the fact that the University accounts are subjected to a continuous audit by Government almost throughout the year, but what is the value of such audit, and how can such audit be at all effective, when the only treatment which the Senators are prepared to accord it is to consign the reports to the waste paper basket? My hon'ble friend, Mr. Rishindra Nath Sarkar, told us yesterday how the University authorities simply refused to let the Council have any information regarding the audit reports and how they had dealt with them.

On the 13th July, 1921, Mr. Jatindra Nath Bose asked in this Council when the audit reports for the previous three years had been sent to the University, when replies have been received from the University, and what action, if any, had been taken by the University. Now, what was the reply of the University to that question? I shall read it out:—

The audit reports as also the correspondence with the Government of India on the subject have never been published either by the Government or the University.

And then, when in spite of such answer from the University, the Education Minister was pleased to lay the audit reports of the three years on the table here, the Syndicate went the length of recording a formal protest in these terms:—

That the attention of the Government of Bengal be drawn to the fact that apart from the question whether audit reports should be published, as Act VII of 1921 had come into operation on the 27th March, 1921, papers relating to matters which had taken place at a time when the Bengal Government had no concern with the University should not have been published without the consent of the University *especially as the comments of the University upon the reports had not been received.*

What unconscious humour lurks in the concluding line? Whose fault was it that though more than a year had elapsed, no reply was sent by the University to the audit report?

I find, in the present instance, the University authorities have loudly complained that the Hon'ble the Minister proceeded to lay down these conditions immediately on receipt of the Accountant-General's report without waiting for the observations of the University thereon. But what else could the poor Minister do? How could he so easily forget the past, how could he forget how the Senators had treated previous reports of the Accountant-General? How again could he forget the assurances he had given us here at the time of the passing of the grant of Rs. 2½ lakhs?

It has been suggested that the grant was made for the purpose of meeting the deficit of Rs. 5½ lakhs, and that, therefore, no question of conditions could arise. The deficit had been incurred, and all were agreed that it would have to be wiped out. Where then was the necessity of imposing any conditions? Sir, I am sorry to find that the object of these conditions is so grossly overlooked though my friend, Mr. Ajoy Chunder Dutt himself admits them to be quite fair. It requires no extraordinary acuteness to understand that the Hon'ble the Minister of Education had to look ahead, to look into the future, and to guard against the repetition of similar deficits in the future as far as possible. Suppose the money had been given away, and no assurances taken from the University for the future, what would the Council have said if the University came up the next year with the same story as before and with possibly a much taller bill? Would the Council, I ask, be prepared to vote unconditional grants from year to year to meet ever-increasing deficits? Mr. Ajoy Chunder Dutt has said with great vehemence that the present deficit is due to the non-co-operation movement, and

I think he suggests that if no such unforeseen contingencies happened again, there will be no further deficits in future. Sir, this would be an altogether misleading statement to make. Is the University prepared to give us any such guarantee? Oh, no. The University would not be the University it is, if it gave any such assurances. Then it is only a half truth that the present deficit is due to non-co-operation. Let us look to the figures given in the Accountant-General's report:—

In 1916-17 there was a surplus of Rs. 2,19,000—Excellent.

In 1917-18 there was a surplus of Rs. 94,000—Where was non-co-operation then?

In 1918-19 there was a deficit of Rs. 38,000—Where was non-co-operation then?

In 1919-20 there was a deficit of Rs. 1,77,000—Where was non-co-operation then?

In 1920-21 there was a deficit of Rs. 2,08,000—Where was non-co-operation then?

From a surplus of Rs. 2,19,000 to a deficit of Rs. 2,08,000 within five successive years—not suddenly—not for an unforeseen cause, but for systematic mismanagement. The primary reason, as the Accountant-General has definitely stated in the report which was laid on the table yesterday, is the expansion of the Post-Graduate Department without any consideration of the available resources. Out of the Rs. 5½ lakhs, we find about Rs. 3⅓ lakhs is due to this inordinate Post-graduate hunger. In so far as the University has been hit by non-co-operation, it will have the sympathy of everyone of us, but so far as its embarrassment is the cumulative effect of over-expenditure in the Post-Graduate Department during a series of years in which there was ample time to retrieve the position, had any attention been paid to it, can there be any doubt that if a disaster has to be avoided or averted again in the future, the University should be put upon terms,—put upon terms, not to interfere with its academic freedom, but only to ensure proper financial control? Academic expansion and financial control must go hand in hand, and all that the Education Minister is now concerned with is to see that the University observes the conditions which will enable it to exercise that control over its own financial administration which so long was only conspicuous by its absence.

It is not as if there had been nobody in the University to warn the authorities about its impending bankruptcy. Sir Lancelot Sanderson before he laid down the reins of his office drew pointed attention to it and urged the necessity of retrenchment. That was just when the big surplus of Rs. 2,19,000 was fast running into an endless deficit. This is what he had said:—

I should like to point out that it is desirable that the Board of Accounts should overhaul the expenses. I personally am not in a position to say whether there

is any part of the expenditure which can be legitimately curtailed. I have no opportunity to go into the matter in detail. But we may ask the Board of Accounts to say whether in their opinion there is any part of the expenditure which may be legitimately reduced. If we are to go to the Government for an increased grant we must be able to show that our expenditure is not excessive.

How was the position met? Will the University authorities be pleased to say how many new and additional departments were created since? Sir, we may blame the Government as much as we like because they did not come forward to pay lavishly to the University, but there can be no doubt that the University authorities themselves were never in any doubt as to the prospects of obtaining such help. And yet they did not hesitate to expand their activities. It is all very well to say that the Calcutta University teaches all subjects under the sun. But is it no part of the duty of those who control the policy of the University, to make sure that the requisite funds will be available? It is quite easy to exclaim: my post-graduate teachers will starve. But I ask, what moral or legal justification has the University to sacrifice the poor professors as the victims of a policy for which they are not responsible? Mr. Ajoy Chunder Dutt has threatened us with his sententious observation that if we do not pay away this money unconditionally, the Reforms would be wrecked. Sir, I do not find anywhere in the preamble to the Reforms Act any mention of perpetuating the maladministration of the University finances as one of the objects of the Reforms, and so I do not apprehend any particular or imminent danger to the Reforms if we do our duty by assessing his threats at their intrinsic worth and not their projective value.

I confidently hope that the House will not fail to do its duty by supporting the Hon'ble the Minister in his considerate and business-like action in connection with the grant.

Mr. PRESIDENT: Before I call upon Sir Asutosh Chaudhuri to continue the debate, I want to impress upon hon'ble members that they should refrain, when they enter and leave the Council Chamber, from coming between the Chair and the speaker. During the speech of Mr. Mallik, several members came between the Chair and the speaker. That is quite out of order. I hope that they will remember that in future.

Sir ASUTOSH CHAUDHURI: May I, Sir, be permitted to congratulate the House on the temper in which this discussion has been conducted? May I also crave liberty to congratulate the House still more heartily on another point—that we have succeeded in usefully wasting some valuable time for educational purpose, I mean usefully wasting public time for an educative purpose.

Babu SURENDRA NATH MALLIK: May I rise to a point of order? If the hon'ble member is of opinion that we have succeeded in usefully wasting some valuable time, has he any right to echo that?

Mr. PRESIDENT: That is not a point of order, as you know very well.

Sir ASUTOSH CHAUDHURI: Anything which helps us to attain a conception that there is such a thing as nonsense is educative, helpful and useful. Some of the speakers who spoke on these resolutions and the amendments, began their addresses with misgivings, and one of them imagined himself as one going with a lighted torch into a powder magazine. Fortunately there was no explosion, and even a reference to me as the author of this report did not result in an explosion because it was incorrect. Although he was corrected by a member he lapsed into a little levity and then suggested that I was a signatory. I am not attaching any value to that, because that also is incorrect. Anyhow, I accept his statement to me that no offence was meant. He is a charming personality, but may I not say one word to him that he may not translate his charm into a feeble echo of a historical episode which is celebrated every year in the first part of November, the episode of a person who went with a lighted torch? I wish his luminous advent threw some light on his amendment which I find somewhat difficult to understand, but I shall deal with that later. May I not also congratulate the Hon'ble the Minister on his measured matter-of-fact speech? He did not descend at any time studiedly to the lower level of an oratorical effort in dealing with the questions before us except perhaps once when his feelings proved too strong for him, when he said that he was distressed at the sight of the Calcutta University with a beggar's bowl. We in India are familiar with that bowl. India is associcated with that bowl. Some of us take pride in the fact that our pandits, maulvis, and maulanas have educated India with the beggar's bowl. I find some consolation also that that is not a feeling peculiar to us Indians as it is also to be found in hard-headed Scotland. The Vice-Chancellor of the Edinburgh University referred to it in these terms before the Oxford Congress of the Empire Universities in 1921. May I have your indulgence to refer to that?

> Our poverty has made us opportunists; we live from hand to mouth. Probably we are right to concentrate on present efficiency—to take no thought for the morrow. If saving can be carried out only at the cost of usefulness, we do well not to save. But when the problem of the crisis comes, it is a very real one. I know its reality, for we have it now in Edinburgh in a form which could scarcely be more acute. In some sense it is a penalty of success.

I claim for the Calcutta University the same thing. It is poverty that we are suffering from for our success.

> One may console oneself by reflecting that if the University had in effect been a hermit crab, there would have been no need of a new shell. Faced with such a crisis, a distracted Vice-Chancellor looks eagerly to right and left, not knowing in what guise a beneficent providence will appear, whether as private donor or as Chancellor of the Exchequer. Probably both. One imagines that in the future some new University, designing, a heraldic shield, will draw a typical

Chancellor of the Exchequer and a typical private donor as the two supporters and the motto will be Sir William McCormick's new reading of the *lex talionis*—A pound for a Pound.

That is the feeling with which the Vice-Chancellor of the Edinburgh University placed his views before the Oxford Congress. So we have nothing to be ashamed of in our poverty. If we have lived from hand to mouth, it is because we are doing good work. It is the penalty which we are paying for our success.

May I not stop here for one second and inquire what is this poverty due to, and how was it brought about? Up to 1904, the Calcutta University was an examining body. In 1904, Lord Curzon when he enacted the Act of 1904, laid it down that the Calcutta University shall teach. When the regulations under the Act were to be drawn up, the duty was cast upon the Calcutta University. The Calcutta University was doing its best. Lord Curzon found that we were not making such progress as he thought we ought to and then the time having expired he would not extend it and appointed a committee to frame regulations for the Calcutta University. Regulations were then framed under the Act which laid down that it shall be the duty of the Calcutta University to undertake teaching and do research work. Now, Sir, these duties were imposed upon us. Were there no corresponding obligations on the part of the Government when these duties were imposed? I ask you in all solemn seriousness that if you come and legislate: "you shall teach and you shall do research work, is it not incumbent upon you at the same time to say how we have to teach and do research work?" We were not merely to impart knowledge of things as they are but also to search for things that are yet to be. In this state of things there is one matter that I shall remind you of—I am sorry that my friend the Hon'ble Sir Surendra Nath Banerjea is not present. He would have borne me out—I do not know whether he would do so now but he did bear me out at another time— and it is this. It is well known to all persons who have anything to do with educational matters that a college cannot support itself, that is to say, the expenses of a college are higher than the fees which come in, that fees alone do not pay for educational expenses of a college. Now it is also well known that in Bengal there are several big colleges which had school departments attached to them. It is equally well known that the school funds exceed the requirements of the school, but the Government by a resolution said—"So far as these colleges are concerned, they are to live upon their own income and so far as the schools are concerned, they shall not contribute to the colleges," with the result that several colleges—I shall not name them—found it very difficult to maintain themselves. That was the state of things at that time. The next thing that happened was that when the schools were cut off from the colleges a question arose about the affiliation of the colleges to the University. Now affiliation before 1904 was merely nominal. The new Act said

that all colleges should apply for affiliation, with the result that Inspectors had to be sent by the Calcutta University to examine these colleges and when it was found, for instance, that there was one professor only who used to teach logic, history and philosophy, it was thought that he was not competent to teach all the three subjects. Consequently several colleges were disaffiliated in several branches and as it was difficult for them to keep up separate teachers for separate subjects the colleges were badly handicapped. The Regulations had imposed the duty of providing post-graduate teaching and a Post-Graduate Deparment was formed. A committee was then formed by the Government about Post-Graduate teaching. They made their report and the report was placed before the Government and the Government accepted their suggestions and the University authorities were authorized to carry on post-graduate teaching on the lines formulated. The whole scheme was before the Government and was sanctioned by the Government. I do not pretend to be an expert on these matters, you have found members here who can deal with philosophy, history and science and what not, but I am not one of them. So far as the post-graduate teaching was concerned, the result was that we had to go on with it. At one time, Sir, I must say the Government of India took a very liberal and sympathetic view of these matters. It came forward with grants. Four professorships were established in the Calcutta University. Then a question arose about a chair which, I think, is called the Carmichael chair. It was at a time when the King-Emperor came, I believe, and it was thought that in celebration of that event the Calcutta University should have a chair for the teaching of Indian history and culture and the Carmichael chair was created. Now, I ask you what is the ground before you to condemn the University. Have I not got a right as a member of the University and having some knowledge about educational affairs to ask you to look into the question from the educational point of view? I find that during the ten years, that is, the period of the audit, the Government has paid the University only about 8 per cent. of our cost. It has not paid more than Rs. 1 lakh and odd, whereas the poor people of Bengal have contributed to the funds of the University in the shape of fees for the expenses. Now, I ask you, as "the custodian of public money," those who say that they are "the custodians of the conscience of the people," and "the representatives of the people," do you think that it is a fair and equitable distribution, that the poor people of Bengal should maintain a huge university like the Calcutta University, and that the Government should come forward with an insignificant grant?

Now, there is one other point to which I shall refer. Some of you appear to be under the misapprehension that there is no audit of the accounts of the Calcutta University. That shows that they have never studied the affairs of the Calcutta University and they know nothing about the Calcutta University. Under the Statute the accounts have

to be audited annually and it would surprise you to hear that these audits have continued for ten months each year and for a long period of years. It was well known to the Government, from the correspondence to which I shall not refer, that there was a deficit. It was well known to the Government that deficit had occurred. Particulars were asked for and particulars were given and it was known as early as 1921—

[At this stage the member reached the time-limit.]

Mr. PRESIDENT: Sir Asutosh, how much more have you to say?

Sir ASUTOSH CHAUDHURI: I would ask for five minutes more.

Mr. PRESIDENT: Certainly, go on.

Sir ASUTOSH CHAUDHURI: Can the Government say that they had no particulars about this deficit? Did they make any complaint about audit during this time? If they knew, why did they not insist upon an answer being given? In 1921, the facts were placed before the Government. The Government of India found that it had no money and gave evasive replies and then the burden which they had been carrying was imposed upon the poor Bengal Government, which was a bankrupt Government. I say it was unfair on the part of the Government of India to impose this University upon the Government of Bengal without seeing that sufficient funds were provided for it. Yet the Government comes forward now and is distressed that we have come forward with the beggar's bowl. What about the Government? Why did it take up this burden when you had an empty bowl to offer to the public? But there is this difference between the University and the Government. The University can only go out with the beggar's bowl but the Government can go out with the cudgel and impose taxes. There is this difference between the two. I was somewhat surprised when the learned—I am accustomed to use that expression, and correct myself and say the Hon'ble the Minister said something yesterday which seemed to me to be a charge of misappropriation of funds.

The Hon'ble Mr. P. C. MITTER: May I rise to a point of personal explanation? I never said that.

Sir ASUTOSH CHAUDHURI: I did not say that he said it but he meant it and I wish him to deny that. (A voice: Perhaps Sir Asutosh can read one's thoughts.) No. I do not care about thought-reading, and never invent. I am a plain, honest man who is not afraid of telling people what passes through his own mind. If the Hon'ble the Minister did not mean it, why did he refer to it? I may tell you that since the University was created, there was only one general drawing fund. It was not the creation of Sir Asutosh Mukharji. That system of keeping the accounts was in existence before he even came into office.

It was there and when he came one of his efforts was to separate the Endowment Funds. You will find in this book, which is admitted to be valuable, on page 64, that Sir Asutosh, as Vice-Chancellor, separated 150 endowment funds and thus the endowment accounts have separated. Before that there was only one general fund. When the auditors went there, they sometimes asked—Why do you have 150 endowment accounts? I will not, however, deal with that, but I must say that the charge was intended to be made by the Hon'ble the Minister that there was misapplication of trust money. Reference was made to page 171 of this book which the University has printed at an "extravagant cost." I should not have thought that the Government, which is accustomed to printing papers for people who are condemned would raise any such objection about printing the University's answer. If you think that it is rubbish, treat it as such. But may I ask you what the printing expenses of the Sadler Commission's Report amounted to? There are 16 volumes of it which it has placed in the waste paper basket and treated as rubbish. What about the various publications which are here treated as rubbish?

Mr. PRESIDENT: Sir Asutosh Chaudhuri, as you have only four seconds more, I hope you will not touch on the reports of the various committees which have sat during the last ten years.

Sir ASUTOSH CHAUDHURI: I do not propose to say anything more. But I may say this that the charges which were formulated by the Accountant-General or the Auditor are not the charges which we are discussing to-day. These charges do not include any such charge, that is to say, there was malversation of funds, and yet the University is called upon to answer when nothing was formulated against them with regard to this matter. The Hon'ble the Minister has said that there is some report which is on the table of the House. I find that the report is dated 3rd January, 1923.

Rai JOGENDRA CHUNDER GHOSE Bahadur: Sir Asutosh has exceeded the extra time allowed by you, Sir.

Mr. PRESIDENT: One more sentence, Sir Asutosh.

Sir ASUTOSH CHAUDHURI: I am sorry that the member for the University says that I had finished the extra time allowed. I do not mind him. He need not be seriously treated always. I appeal to everyone of you here. This is a matter which does not require discussion. The charges have been answered, the conditions have been mostly complied with, and some of them are absurd. I ask you in all solemnity not to stand in the way of the University getting this money.

Rai MAHENDRA CHANDRA MITRA Bahadur: Although Sir Asutosh Chaudhuri began by saying that the members had usefully wasted the time of the Council, yet I find that he has dealt with the subject

in a beautiful style. The point at issue is whether the University ought to get the sum of Rs. 2,50,000 which has already been voted, or in other words, whether the Council will have to vote it again, if necessary. Before we voted the amount last session there was another consideration which led the Council to pause for a moment before arriving at a conclusion. The Council thought it necessary that a committee should be appointed for the purpose of examining the finances of the University. The committee was not appointed at all; hence it was necessary for the Hon'ble the Minister to look into the financial state of the University. And the state of the finances showed that it was imperative that certain conditions must be imposed upon the University. He has to deal with the question in a business-like way and the University ought to do likewise. When a donee applies for money to a donor the former must be under some obligation to the latter. And when it was found that the University was in deficit, can it be contended by any reasonable man that the donor is not at liberty to impose a condition upon the donee—in this case, the Calcutta University? If you stand upon a higher ground and say that the University is quite an independent body, then that is a different matter; otherwise it seems to me that when there is an application for money from a certain body of men, they must consider the position of affairs. Speaking for myself, Sir, I may say that when the resolution to grant the Calcutta University the sum of Rs. 2,50,000 was passed, I was very anxious to investigate into the finances of the University and to see that some sort of conditions were imposed upon it. There have been suggestions in the course of our discussion, that the University is a free body, and consequently it will not take the sum granted on these conditions. My humble submission to the Council is that the Hon'ble the Minister for Education would not be performing his duty properly if he did not impose any condition on the grant. He has done it and it is not wise for any member of this Council to attack the policy which he has adopted. To-day the University asks for Rs. 2,50,000, to-morrow it will ask for Rs. 5 or 7 lakhs, and in this way it will continue to say that it has a right to ask the Council to vote the amount which it wants. Sir, we have all been educated at the Calcutta University, we are lovers of the University and we are loyal to it. But these are not the questions with which we are concerned at present—they are only side issues. We must not confound the main question, but go straight into it. The question is whether conditions should be imposed or not. So far as I understand, the Hon'ble the Minister is willing to give away the sum of Rs. 2,50,000 pursuant to a solemn resolution of this Council. Here is another party which also is willing to accept the grant but minus the conditions laid down. We are told again that the University has accepted many of these conditions; if so, I cannot follow the logic of it and cannot understand why these questions should crop up at all. Therefore, it is difficult to see wherein lies the point of the debate. The University has accepted most of the conditions,

but will not accept the grant unless the very conditions are removed. But I beg to submit, that, if the conditions be not laid down, it will not be acting prudently on the part of those who passed the amount. Sir, one fact which emerges out of this discussion seems to be that money should be paid under certain circumstances. Both the donor and the donee are bankrupts, and consequently when dealing with bankrupt parties we ought to consider how far the bankruptcy will go on. These are my observations, and my appeal to the members of the Council is that instead of wasting time my friends will please withdraw their resolutions. Let the Hon'ble the Minister and the Hon'ble the Vice-Chancellor of the University meet together and discuss the matter and then the whole thing may be quieted down. I have been at the bar for many many years, but never have I heard a less important issue discussed at greater length and without benefit to anybody.

Mr. PRESIDENT: Before I ask Dr. Hassan Suhrawardy to speak I may tell the members that I think that the time has come when the debate should be brought to a close. After Dr. Hassan Suhrawardy has finished, I shall ask Mr. Ajoy Chunder Dutt to reply, and then, if the Hon'ble the Minister so desires, he can wind up the discussion. I now call upon Dr. Hassan Suhrawardy to speak.

Dr. HASSAN SUHRAWARDY: I do not wish, Sir, at this stage to inflict upon the Council a lengthy speech. I shall just confine myself to a few remarks regarding the deficit. It has been said that the causes of the deficit are such over which the University had no control. Sir Asutosh Chaudhuri has said that it is to some extent due to the inauguration of post-graduate teaching classes. Another member is of opinion that it is the non-co-operation movement which is responsible for the deficit and the Accountant-General also says that the deficit of Rs. 3 lakhs is due to that. Another speaker has said that the leakage of question papers accounts for an unforseen expenditure of Rs. 60,000. I cannot say that the University is not entirely responsible for that; but the present authorities may not be responsible for it. The fact that so many new universities have been started during recent years, viz., Dacca, Patna, Rangoon, and others, may have also led to a great depletion in the fee fund. But we are not concerned with the question as to whether the deficit is due to causes over which the University had control or not. The indisputable and incontrovertible fact remains that the University has got a large deficit to face, and therefore, it should cut its coat according to the cloth at its disposal. Babu Surendra Nath Mallik has quoted from the report of the Accountant-General and pointed out that from the year 1917-18, there has been a large amount of overspending in the post-graduate teaching classes. When our resources fall short it is wise that we should control our expenditure.

Mr. Ajoy Chunder Dutt says that the University has not repudiated the charge of thoughtless expansion. So far as I am aware it has not

admitted it either. It has, however, now embarked upon the task of thoughtful retrenchment. It has conferred honorary professorships and honorary examinerships upon the starved and poorly-paid professors, and the University authorities with a fine sense of humour have even bestowed honorary examinerships upon Babu Surendra Nath Mallik and Maulvi A. K. Fazl-ul Haq—two members of this Council who made themselves conspicuous by their adverse criticisms of it during the last debate.

Now, Sir, with regard to the "conditions," it has been said that the Hon'ble the Minister has imposed them without the sanction of the Council. Most people will agree with Rai Mahendra Chandra Mitra Bahadur who said that even if the Council did not impose these conditions, the Hon'ble the Minister, as a member of the Cabinet, has every right to impose conditions on the money that he gives to anybody; whether it is the University or any other body. There is no doubt that the University is an autonomous body, but the conditions imposed do not in any way interfere with their autonomy in academical matters. Their autonomy in these matters is recognized by everybody. As a member of the Senate and the Syndicate I would certainly resent any encroachment upon the autonomy of the University in matters academical, but if one looks at the Act of Incorporation of 1857, clause 15, one will see that it distinctly lays down that the University is subject to the direction and regulation of the Government in matters financial. The Hon'ble the Minister, it appears to me, has every right even under the Act and Charter of the University to control and guide the finances of the University. We have all heard Rai Jogendra Chunder Ghose Bahadur pointing out that in the meetings of the Standing Committee on education there was a talk of not giving any money to the Calcutta University and not putting down any amount for it in the budget, and then again, there was opposition in the Council when the budget was voted upon. There was a good deal of opposition to the grant, both by the Hindu and Muhammadan members of this Council. In view of this opposition the Hon'ble Mr. Mitter gave us an assurance that the money that the Council will vote would be properly spent and that the deficit would be gradually wiped out thereby, and the Calcutta University would not again embark upon any further adventure. It was on those assurances from the Hon'ble the Minister that the Council voted the money in favour of the University.

So far as the conditions are concerned, Mr. Ajoy Chunder Dutt says that the University has fulfilled all of them, and Sir Asutosh Chaudhuri also agrees with him. But if the University has fulfilled the conditions imposed by Government why is there all this heat and discussion and this resentment and charge of imposing humiliating conditions and harsh measures? I wonder what authority Mr. Ajoy Chunder Dutt has for saying that the University has fulfilled all the conditions imposed by Government? If this statement is correct, then why all this trouble?

Why do you come forward with resolutions to grant money without conditions?

I find that there are four members of this Council who are also members of the Senate of the Calcutta University and one of them is a member of the Syndicate. They are Sir Asutosh Chaudhuri, Dr. A. Suhrawardy, Dr. Jitendra Nath Moitra, who by the way, was an adverse critic of the University before, but who, recently, since he has become a Senator, with the zeal of a convert, has become a great champion of it, and my humble self. It is significant that none of the resolutions that we are now discussing have been brought forward by any member of the Senate or of the Syndicate of the Calcutta University. They are brought forward by outsiders. I am afraid that by doing so they have not served any useful purpose and not done a good turn to the University. They have opened the door for recriminations and attacks and have reopened a debate that was closed. So I do not know if they are our ffiends, but if they are, God save us from our friends! Finally, I would urge upon the movers of the resolutions to withdraw their resolutions and thereby open the door for a round table conference, such as Mr. Hornell has suggested, which will be the right thing to do, and not carry on any further a debate of mutual recrimination and attack of this kind. No one can claim to be the victor or the vanquished if the resolutions are withdrawn and a friendly arrangement arrived at.

Mr. AJOY CHUNDER DUTT: After so many lengthy speeches, it is unnecessary for me to take up the time of the Council with a long speech. I shall deal at the outset with the observations made by Dr. Hassan Suhrawardy to the effect that the conditions imposed in the letter of the 23rd August written by Government to the University have not been complied with. I do not remember whether Dr. Suhrawardy was present here when I made my speech, but I think I was able to convince most of the members of the Council that the University had actually complied with these conditions, and I think, Sir, the Hon'ble the Minister more or less admitted that the University were complying with some of the major conditions. I have listened to a very large number of criticisms, but the point which I have raised have not been met by any member. I repeat once more, that the sum of money Rs. 2,50,000 is required for the payment of the debts. I am not going into the question as to whether the debts were rightly incurred or not. My point is, Sir, this money will have to be paid by Government because the University cannot pay it. Government must assist the University with Rs. 2,50,000. The University have stated in their letter that the money will be employed entirely for the purpose of paying off a portion of their debts. The University will not use a farthing of this money for any other purpose. I challenge anybody to disbelieve that statement. On this ground, Sir, I think the money should be paid.

Babu Indu Bhushan Dutta has criticized my statement to the effect that the Calcutta University while complying with the conditions in the Government letter, have not chosen to admit that fact. I have not been able to understand the point which Mr. Indu Bhushan Dutta endeavoured to make, but I may tell the Council that as a matter of fact, the Report of the Government Grant Committee is not in harmony with the speeches made at the Senate meeting of the 2nd December. We are concerned only with the Report. The Report has in a manner adopted the conditions laid down by the Education Minister.

The Hon'ble the Minister has strongly commented upon the expansion of the Post-Graduate Department. It is admitted that there has been expansion. The University authorities were led to believe that Government would generously assist the scheme of expansion which was framed with its sanction. The University authorities could not have foreseen the change of Government attitude, which may have been to some extent due to financial stringency. No support was, as a matter of fact, accorded by Government. The University authorities, as is well known, have lately made considerable reduction in the expenditure and a Retrenchment Committee is sitting to consider what further reductions are possible. It is easy to see that considerable retrenchments cannot be made in a single day. Professors have been appointed for 3, 4, and 5 years and they are entitled to their remuneration for those periods. But what is possible is being done.

With these few words, I commend my resolution to the House.

The Hon'ble Mr. P. C. MITTER: After this long debate, I propose to be very brief. Some members have assumed or implied that I am responsible for this controversy. I desire to repudiate this suggestion. I am only trying to do my duty. I leave it to the members of this Council to decide whether I can be held justly responsible for this acrimonious controversy. I have made my position clear. Though some have suggested that I am responsible for this controversy, they have not told me in what way I am responsible and how this controversy can be ended. Suggestions that have been made to hand over the money with or without conditions or to appoint a committee. I have already placed facts and I do not propose to repeat them.

It has been said that I want to interfere with academic freedom. Let me assure the House once more than I do not want to interfere with academic freedom at all. The whole position boils down to this: The Accountant-General has submitted his audit report; should we ignore the recommendations of that report? If not, then effect must be given to them. I am only trying to give effect to these recommendations.

Sir ASUTOSH CHAUDHURI: May I inquire which audit report the Hon'ble the Minister is referring to?

The Hon'ble Mr. P. C. MITTER: The two audit reports of this year.

Sir ASUTOSH CHAUDHURI: Is it the report of the 3rd January? If so, I have not got it.

The Hon'ble Mr. P. C. MITTER: The document of the 3rd January is a letter and not a report. This letter of the 3rd January is the reply of the Accountant-General to the criticisms of the University in his first audit report. If Sir Asutosh Chaudhuri had taken the trouble to get the letter, he would have found that it is the reply of the Accountant-General to the big volume that has been circulated by the University. I am not surprised to learn that Sir Asutosh Chaudhuri has not read it. His preconceived affection for the University perhaps made examination of facts irksome.

Section 16 of the Calcutta University Act says—

> . . . . the accounts of the annual expenditure of the said University shall once every year be submitted for such examination and audit as the said local Government may direct.

Is it seriously suggested that this statutory duty should not be performed? But apart from any statutory duties, I am paying tax-payers' money, and am I going to allow the tax-payers' money to be paid when business methods are not observed, when budgets are not prepared till 6, 8 or 9 months of the year have passed, when there is no scrutiny of actuals and when the salaries of the staff and remunerations of examiners are not paid? What is the University for, if these elementary duties are not performed? If the University submits itself to be guided by the recommendations of the Accountant-General, then the University will find that most of my conditions will be fulfilled. I am as anxious as anybody to avoid this acrimonious controversy although I feel that I am not in any way responsible for starting it; I realize, however, that the controversy exists at the present moment whoever may be responsible for it.

I propose at an early date to take a step, which, I hope, will allay this controversy, namely, I propose to invite my esteemed friend Sir Asutosh Chaudhuri, who is so keen about looking after the interests of the University, Sir Nilratan Sarkar, ex-Vice-Chancellor, and Sir Profull Chandra Roy, all three eminent knights, and all keenly interested in the welfare of the University to do me the favour of sitting with me to discuss this question, and I propose to request the Accountant-General, Mr. Roy, and Mr. Hornell to sit with me at that table and settle the matter. Sir Asutosh Chaudhuri, if I may say so without offence, is a great phrase-maker. He has coined a new phrase and stated that the time of the Council has been "usefully wasted." I venture to think that the time of the Council has not been "usefully wasted"; I do not know what is a useful waste of time but we live to learn. However, I will appeal to the movers of resolutions on both sides to withdraw their resolutions, it does not befit the dignity of this House to discuss these

matters in a full dress debate for two full days. I give this assurance that I shall once more try, in spite of criticisms, in spite of anything that may have been said or done, to settle this difference between the University and the Government. I also propose, if necessary, to invite Sir Asutosh Mukharji at a later stage to attend this conference. But, Sir, if nothing comes out of this conference it will not be my fault. If the members on both sides of the House will withdraw their resolutions I shall not take up any more time of the Council—(Cries of "Withdrawn, withdrawn!") Then I resume my seat.

The resolution standing in the name of Babu Annada Charan Dutta was then, by leave of the Council, withdrawn.

The resolution standing in the name of Professor S. C. Mukherji was, in the absence of the member, put and lost.

The resolution standing in the name of Rai Harendranath Chaudhuri was then, by leave of the Council, withdrawn.

The resolution standing in the name of Mr. D. C. Ghose was, by leave of the Council, withdrawn.

The resolution standing in the name of Mr. Ajoy Chunder Dutt was, by leave of the Council, withdrawn.

The resolution standing in the name of Babu Kishori Mohan Chaudhuri was, by leave of the Council, withdrawn.

The resolution standing in the name of Babu Rishindra Nath Sarkar was, by leave of the Council, withdrawn.

The Council was then adjourned for 15 minutes.

After the adjournment.

Medical School at Chittagong.

In the absence of Babu Annada Charan Dutta, Babu Indu Bhushan Dutta was permitted to move the following resolution:—

"This Council recommends to the Government that immediate steps be taken to establish the proposed medical school at Chittagong and that classes for training compounders and nurses be attached forthwith to the Chittagong hospital, and that provision for the same be made in the coming budget."

Adjournment.

At 6 P.M. it was found that there was no quorum, and the Council was accordingly adjourned till 3 P.M. on Monday, the 29th January, 1923, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 29th January, 1923, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 95 nominated and elected members.

Alteration in dates of meetings.

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): Order, order! His Excellency the Governor has altered the dates of the meetings of the Council on the 1st and 2nd February to the 8th and 9th of February. On the 8th and 9th February, therefore, further motions in connection with the non-official Bills which have been introduced and other motions in connection with further Bills of which notice has been given by non-official members will be taken up.

Starred Questions

(to which oral answers were given).

Ministerial officers of the Education Department.

***XXVIII. Maulvi YAKUINUDDIN AHMED:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table copies of—

(*i*) Government resolution No. 464Edn., dated the 3rd March, 1922, sanctioning a revised scale of pay to the officers of the Education Department below the Provincial Educational Service now called the Bengal Educational Service with the exception of the ministerial staff of that Department; and

(*ii*) Government resolution No. 13371F., dated the 22nd August, 1921, revising the pay of all ministerial officers in the Presidency of Bengal?

(*b*) Will the Hon'ble the Minister be pleased to state what steps are being taken by the Government to revise the pay of the ministerial officers of the Education Department other than those of the Director of Public Instruction's office?

(*c*) Will the Hon'ble the Minister be pleased to state why the cases of the ministerial officers were not taken into consideration as foreshadowed in the resolution of the 3rd March, 1922?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*a*) (*i*) and (*ii*) The resolutions are laid on the Library table. Resolution No. 13371F., dated the 22nd August, 1921, deals with the menials and not ministerial officers as stated by the member.

(*b*) The orders revising the pay of ministerial and miscellaneous officers in the Education Department were published in the *Calcutta Gazette* of the 17th January, 1923.

(*c*) The question of the revision of the pay of ministerial officers in the Education Department has been under consideration since the issue of the resolution.

Residential quarters for the Chief Justice.

***XXIX. Babu KISHORI MOHAN CHAUDHURI:** Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) what action, if any, has been taken on the motion disallowing the expenditure for the construction of the residential quarters for the Chief Justice of the Calcutta High Court;

(*ii*) how was the land acquired for the purpose disposed of;

(*iii*) whether the Government have suffered any loss in the transaction;

(*iv*) if so, what was the extent of the loss; and

(*v*) what are the reasons to which the loss is due?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*i*) and (*ii*) The work was stopped, and the partially completed building together with the land on which it stands was after proper advertisement sold to the person who made the highest offer.

(*iii*) No.

(*iv*) and (*v*) Do not arise.

Grant to Calcutta University.

***XXX. Mr. AJOY CHUNDER DUTT:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) whether he is aware of the Report of the Government Grant Committee which was adopted by the Senate on the 2nd December, 1922;

(*ii*) whether the Government are prepared to make over to the Calcutta University the sum of Rs. 2,50,000 voted by this Council for that body; and

(*iii*) if not, what steps, are the Government proposing to take to afford relief to the Calcutta University?

The Hon'ble Mr. P. C. MITTER: (*i*) Yes.

(*ii*) Government are prepared to make over the sum provided the University authorities give an assurance that effect will be given to the recommendation which the Accountant-General has in his letter No. O.A-94-54-21, dated the 24th July, 1922, made with a view to place the finances of the University on a satisfactory basis and provided also they agree to accept certain conditions laid down by Government with the same object in their letter No. 1769Edn., dated the 23rd August, 1922. Both the Accountant-General's letter and the Government letter are placed on the Library table.

(*iii*) In view of the answer given above, the question does not arise.

Retrenchment in various departments.

***XXXI. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Member in charge of the Department of Finance be pleased to lay on the table a statement showing—

(*i*) the amount of retrenchment effected since the 1st April to the 31st December, 1922, in each department of the Government of Bengal; and

(*ii*) the heads under which such retrenchments have been made?

MEMBER in charge of DEPARTMENT of FINANCE (the Hon'ble Mr. J. Donald): The member is referred to the answer to unstarred question No. 209 on the subject asked by Babu Amulya Dhone Addy at this meeting.

Bridges and culverts near Santahar.

***XXXII. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state whether he is aware that there is a shortage

of bridges and culverts near about the Santahar, Akkelpore, Nasratpur, and Nathnagar stations on the Eastern Bengal Railway?

(*b*) Is it a fact that Dr. Bentley, Director of Public Health, Bengal, expressed his opinion that the insufficiency of culverts in the roads and railway lines and the faulty construction of the railways are the cause of the North Bengal floods?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble the Member be pleased to state the steps, if any, that are going to be taken in this matter?

(*d*) Are the Government considering the desirability of asking the Eastern Bengal Railway authorities to construct at least four culverts between the stations referred to in (*a*) above?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) The Railway Board have appointed a Special Officer to investigate the subject of insufficient openings in the railway embankment and the Bengal Government have appointed a Committee to go into the question of flooding in this area generally. No reply can be given till these reports are received.

(*b*) Dr. Bentley has expressed the view that embankments, including those of roads and railways are instrumental in holding up surface water, and that, therefore, they play an important part in the occurrence of local flooding. A mere increase in the number and size of bridges and culverts in an embankment may, however, in certain circumstances, do harm rather than good. It is only the examination of a whole system of embankments which would enable experts to advise to what extent any particular road or roads, embankment or embankments might be responsible for flooding.

(*c*) and (*d*) The reports of the Special Officer and Committee will be awaited before taking any action in the matter.

Amendment of Bengal Municipal Act and Bengal Local Self-Government Act.

***XXXIII. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is intended to introduce during the present or next session of the Council, Bills for the amendment of the Bengal Municipal Act (Bengal Act III of 1884) and the Bengal Local Self-Government Act (Bengal Act III of 1885)?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): A Bill

consolidating and amending the Bengal Municipal Act has been prepared. It will be introduced in Council as soon as the sanction of the Government of India is obtained to clauses requiring previous sanction.

A short emergent Bill for amending the Local Self-Government Act is under preparation, and it is intended to lay a rough draft before the District Board Conference in March.

Case of one Jatindra Nath Dhari.

***XXXIV. Babu JOGENDRA NATH ROY:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state the name of the officer who, on perusing the report submitted by the Inspector of the Shampukur thana, passed an order for sending up Jatindra Nath Dhari on a charge of "disorderly conduct"?

(*b*) Will the Hon'ble the Member be pleased to state what notice, if any, has been taken of his action?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) The Assistant Commissioner, North Town, ordered entry of a charge under section 68 of Act IV of 1866 (disorderly conduct). The Deputy Commissioner, North District, after hearing the evidence ordered the case to be put up before the Magistrate.

(*b*) None.

Gun licenses for protection of crops in the mufassal.

***XXXV. Khan Bahadur Maulvi WASIMUDDIN AHMED:** (*a*) Is the Hon'ble the Member in charge of the Police Department aware that a very large quantity of crops are destroyed every year by wild animals?

(*b*) Are the Government proposing to take any steps in this matter?

(*c*) If so, what steps is it proposed to take?

(*d*) If no information is available in regard to clause (*a*) are the Government considering the desirability of causing statistics to be collected on the point?

(*e*) Is the Hon'ble the Member aware that of late the number of wild animals—such as wild boars, leopards and tigers—has greatly increased?

(*f*) Are the Government considering the desirability of encouraging the use of muzzle-loading guns in the mufassal?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Government are aware that a certain amount of damage is caused to crops in this way.

(*b*), (*c*) and (*f*) There are standing Government orders calling the attention of District Magistrates to licence Forms XIV and XV which are specially intended to provide for the needs of cultivators who desire to keep arms to defend themselves and their crops from wild beasts. Licences in these forms for both muzzle-loading and breech-loading guns are issued free of all fee and have been granted in increasing number in recent years.

(*d*) No.

(*e*) No.

Teaching of Science in Ananda Mohan College, Mymensingh.

***XXXVI. Mr. S. M. BOSE:** (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware that there is an increasing and insistent need for education in science, in the district of Mymensingh, and that the Ananda Mohan College the only College in the district teaching higher science, stands in great need for improvement and expansion in the matter of the teaching of science?

(*b*) Has the attention of the Hon'ble the Minister been drawn to the application made by the Governing Body of the College on the 19th August, 1922, to the Director of Public Instruction, asking for a special annual grant of Rs. 5,000 out of the sum of Rs. 30,000 set apart in this year's Budget for the improvement and expansion of the teaching of science in private colleges in the mufassal?

(*c*) Are the Government contemplating taking any steps to sanction the grant asked for?

The Hon'ble Mr. P. C. MITTER: (*a*) and (*b*) Yes.

(*c*) The case was considered with similar demands. It is regretted that in view of the financial position of Government no grant is possible at present.

Khedda operations in Chittagong and Chittagong Hill Tracts.

***XXXVII. Rai UPENDRA LAL RAY Bahadur:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Forests) be pleased to state the result of the khedda operations in the districts of Chittagong and the Chittagong Hill Tracts during the years 1915 to 1922 showing, from year to year—

(*i*) the names of the lessees;

(*ii*) the number of elephants captured;

(*iii*) the rates and amounts of royalty charged and realized;

(iv) the number of elephants that died in course of and after the operations;

(v) the sale-proceeds of the elephants captured in the Government kheddas and the costs of the operations; and

(vi) the difference, if any, in the proportion of revenue derived by the Government, as royalty from private lessees to the net proceeds of the Government kheddas?

(b) What is the name of the officer who, on behalf of the Government, supervised the work both in private and Government kheddas?

(c) Has any remuneration been paid to him for his work or have his services been recognized in any other way by the Government?

MEMBER in charge of DEPARTMENT of REVENUE [FORESTS] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (a) to (c) A statement is laid on the table giving the information asked for by the member. No elephants were captured during 1914-15.

Statement referred to in the reply to starred question No. XXXVII.

Year and names of the lessees.	The number of elephants captured.	The rates and amounts of royalty charged and realized.	The number of elephants that died in course of and after the operations.	The sale-proceeds of the elephants captured in the Government kheddas.	The cost of the Government khedda operations.	The difference, if any, in the proportion of revenue derived by the Government as royalty from private lessees to the net proceeds of the Government kheddahs.	Name of officer who supervised the work.	Remuneration to the officer.
1915-16.				Rs.	Rs.			
Chittagong Division— Munshi Ozi Meah Chaudhuri...	7 elephants, 3 calves.	Rs. 150 per elephant × 7 = Rs 1,050.	3 calves died ...	.....	.....	Receipts on royalty from private lessees averaged Rs. 131 per elephant, while net proceeds per elephant surviving in Government kheddas averaged Rs. 264.	No officer was specially deputed to supervise the work, but Mr. J. Homfray was the Divisional Forest Officer.	
Munshi Ahmed Meah ...	9 elephants, 2 calves.	Rs. 150 per elephant × 8 = Rs. 1,200.	1 elephant was shot and 3 elephants and one calf died.	.....	.....			
1916-17.								
Chittagong Division— Munshi Ozi Meah	19 elephants, 4 calves.	Rs. 150 per elephant × 19 = Rs. 2,850.	.....	.....	.....			
1917-18.								
Chittagong Division— Munshi Ozi Meah	43 elephants.	2½ anna share of sale value = Rs. 5,000.	.....	.....	.....			
1918-19.								
Chittagong Division— Babu Nagendra Nath Roy Chaudhuri.	34 elephants.	Rs. 4,734, *i.e.*, three-sixteenths of the sale value.	7 elephants died ...	.....	.....		No officer was specially deputed to supervise the work, but Mr. Gent was the Divisional Forest Officer.	

1919-20.								
Chittagong Hill Tracts Division—Departmental operations.	khedda	51 elephants.	.....	2 elephants died and one was released.	73,465	52,396	Messrs. Gent and Marchant	No special remuneration beyond ordinary salary.
1920-21.								
Cox's Bazar Division—Departmental operations.	khedda	32 elephants.	.....	5 elephants died ...	71,065	77,935	Ditto ditto.	
1921-22.								
Chittagong Hill Tracts Division—Departmental operations.	khedda	4 tuskers ...	.....	.....	19,500	12,817	Babu M. C. Chaudhuri, Extra Assistant C. F., the Divisional Forest Officer, Chittagong Hill Tracts Division.	

Unstarred Questions

(answers to which were laid on the table).

Departmental retrenchment.

209. Babu AMULYA DHONE ADDY: (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) what economy and retrenchment have been effected departmentally in each of the departments of Government up to now;

(*ii*) what recommendations have been made by the Retrenchment Committee appointed by the Government of Bengal; and

(*iii*) when are the Government proposing to give effect to the recommendations of the said Committee?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a copy of the said Report?

The Hon'ble Mr. J. DONALD: (*a*) (*i*) Retrenchments in the budget provision of the current year have been effected to the following extent:—

		Rs.
5.—Land Revenue	...	1,58,670
6.—Excise	...	85,000
8.—Forests	...	60,000
9.—Registration	...	1,00,383
16.—Irrigation	...	1,69,000
19.—Interest on ordinary debt	...	4,45,000
22.—General Administration	...	5,18,730
24.—Administration of Justice	...	1,92,701
25.—Jails and Convict Settlements	...	1,93,850
26.—Police	...	3,39,824
27.—Ports and Pilotage	...	52,100
31.—Education	...	7,72,716
32.—Medical	...	1,98,612
33.—Public Health	...	1,99,715
34.—Agriculture	...	2,57,648
35.—Industries	...	2,96,846
37.—Miscellaneous Department	...	19,100
41.—Civil Works	...	5,00,000
45.—Superannuation, etc.	.	1,50,000
46.—Stationery and Printing	...	1,60,000
47.—Miscellaneous	...	19,000
Total	...	48,88,895

(*ii*) The Report of the Committee has been published and the member is referred to it.

(*iii*) The matter is under the consideration of Government.

(*b*) A copy of the Report is being supplied to each member of the Legislative Council.

Delay in the reconstruction of the Kidderpore Bridge.

210. Babu AMULYA DHONE ADDY: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state what fine has been imposed on the contractors for the construction of the Kidderpore Bridge for their failure to complete the construction thereof within the period of contract?

(*b*) If no such fine has been imposed, will the Hon'ble the Member be pleased to state the special reasons for not imposing any fine?

(*c*) Will the Hon'ble the Member be pleased to state—

(*i*) what was the original estimate for the said work;

(*ii*) what has been the actual cost of the construction of the said bridge;

(*iii*) what special reasons were there for the abnormal increase in the cost of the construction of the said bridge?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) and (*b*) No fine has been imposed on the contractors because no time-limit could be definitely fixed, owing to very uncertain labour conditions in England.

(*c*) (*i*) The original sanctioned estimate was Rs. 8,26,899 for works only.

(*ii*) Figures of the actual cost of construction have not yet been reported.

(*iii*) The question does not arise.

"Phooka" on milch cows.

211. Babu AMULYA DHONE ADDY: (*a*) Has the attention of the Hon'ble the Member in charge of the Police Department been drawn to the practice of *phooka* by the *goalas* of Calcutta on milch-cows?

(*b*) Are the Government considering the desirability of taking necessary steps for the prevention of the said practice?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) and (*b*) The member is referred to the answers given to unstarred question No. (*4*) (*c*) (*v*) on the 7th February, 1921, and subsequent questions on the same subject.

Ministerial officers of the Education Department.

212. Nawabzada K. M. AFZAL, Khan Bahadur: (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware of the grievances of the ministerial officers in the Education Department subordinate to the Director of Public Instruction, especially those in the lower division in regard to their pay and prospects?

(*b*) Has their pay ever been revised since the creation of their cadre?

(*c*) Was their case considered when the recommendations of the Salaries Committee of 1907 were given effect to?

(*d*) Is it a fact—

(*i*) that a lump sum was sanctioned for the improvement of establishments subordinate to the Director of Public Instruction; and

(*ii*) that this allotment was allowed to lapse for two successive years or otherwise utilized?

(*e*) If the answer to (*d*) is in the affirmative, will the Hon'ble the Minister be pleased to state the reasons for this?

(*f*) Will the Hon'ble the Minister be pleased to state the reasons why the case of the bettering of the pay and prospects of educational clerks is still pending?

(*g*) Is it a fact that the scheme for the ministerial officers in all other departments including the office of the Director of Public Instruction has been given effect to?

The Hon'ble Mr. P. C. MITTER: (*a*) Yes.

(*b*) No. But grade promotions have been made and the employees concerned have drawn since 1920 the *ad interim* allowances sanctioned in that year on behalf of ministerial officers.

(*c*) No.

(*d*) (*i*) and (*ii*), (*e*) and (*f*) A lump provision for the reorganization of all the branches of the Provincial Educational Services below the Bengal Educational Service was provided in the budget for 1921-22. The reorganization of the teaching and inspecting branches was sanctioned during 1921-22, but the question of reorganizing the conditions under which the ministerial employees should work was deferred pending the decision of Government with reference to the recommendations of the McAlpin Committee. The McAlpin Committee had suggested revised conditions of pay for all Government clerks outside the Secretariat, but the clerks of the various offices subordinate to the Director of Public Instruction, were excluded from its scope. The financial position complicated the issues which have now been settled. The scheme has already been approved by Government.

(*g*) Yes.

Expenditure on the establishment of Divisional Commissioners.

213. Babu JATINDRA NATH BASU: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state the aggregate expenditure in 1921 on the offices and establishment of the several Commissioners of divisions in Bengal other than on account of the pay of the Commissioners?

The Hon'ble Mr. J. DONALD: The total expenditure in the year 1921-22, apart from the pay of the Commissioners themselves, on establishment, allowances and contingencies in respect of the offices of the Commissioners amounted to Rs. 2,97,624.

Reconstruction of the Calcutta University.

214. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) whether it is a fact that the Senate of the Calcutta University resolved on the 3rd September last that they do proceed to appoint a committee of seven members, viz., four members to be nominated by the Senate and three members by the Government of Bengal to investigate into the financial details of the proposed scheme for the reconstruction of the University;

(*ii*) whether it is a fact that on the 23rd September, 1922, the resolution was forwarded to the Government of Bengal; and

(*iii*) what action, if any, was taken upon the letter communicating the said resolution?

(*b*) If no action was taken, will the Hon'ble the Minister be pleased to state the reasons why no action was taken?

(*c*) Is it a fact that no reply was given to the letter forwarding that resolution even before the 3rd November last?

The Hon'ble Mr. P. C. MITTER: (*a*) Perhaps the member refers to the resolution adopted by the Senate on the 3rd September, 1921, and University letter No. G—54, dated the 22nd September, 1921, with which the resolution was forwarded to Government. Government replied to the letter in letter No. 2414, dated the 22nd November, 1921. Copies of both the letters are laid on the Library table.

(*b*) and (*c*) Do not arise.

Electoral rolls and polling centres for Council election.

215. Babu BHISHMADEV DAS: (*a*) Is the Hon'ble the Member in charge of the Appointment (Legislative) Department aware—

(*i*) that there are mistakes in the last electoral rolls; and

(*ii*) that many voters could not appear in time to record their votes on account of the selection of polling centres at distant and inconvenient places?

(*b*) Will the Hon'ble the Member be pleased to state how and when the electoral rolls will be revised for the next general election?

(*c*) Are the Government considering the desirability of directing that polling centres be fixed at central places within the areas of a fixed radius of miles?

MEMBER in charge of APPOINTMENT (LEGISLATIVE) DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) (*i*) Mistakes have been brought to light in a few of the electoral rolls.

(*ii*) Government have no information to this effect.

(*b*) Arrangements are already in hand to initiate the preparation of new electoral rolls. The general lines of procedure will be the same as those followed in 1920, but a longer period will be allowed between draft publication and final publication, and this will facilitate correction of omissions.

(*c*) No. The size of the polling areas depends on local accessibility and also on the number of votes that can be recorded in one day, and the fixing of polling centres is a matter for the determination of the Returning Officer.

Pay and provident funds for teachers of aided girls' schools.

216. Rai FANINDRALAL DE Bahadur: (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware that a conference of the girl school teachers, Dacca Circle, was held at Madaripur?

(*b*) Will the Hon'ble the Minister be pleased to state whether he has received a copy of the proceedings of the conference in the shape of a representation from the Secretary of the Girl School Teachers' Association, Dacca Circle?

(*c*) Will the Hon'ble the Minister be pleased to state whether it is in the contemplation of the Government to take any action regarding the grievances raised there about the pay and provident funds of the teachers of the aided girls' schools as suggested in the "Indian Educational Policy, 1913," and other subsequent resolutions quoted in the proceedings?

The Hon'ble Mr. P. C. MITTER: (*a*) Yes.

(*b*) A copy of the proceedings has been received from the Secretary.

(*c*) In the present financial position it is not possible for Government to take any action in the matter. Moreover it is for the Managing Committees of the schools to take the initiative in these matters.

Quinine from Darjeeling factory.

217. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Member in charge of the Department of Revenue (Forests) be pleased to lay on the table a statement showing—

(*i*) the output of quinine from the Darjeeling factory and the amount sold (with prices), year by year, during the last ten years;

(*ii*) the imports of quinine and its market prices, year by year, during the last decade; and

(*iii*) the details of experiments, if any, with such indigenous febrifuges as Nata Guillandina (*Caesalpina*), Bunduk, Nim (*Melia Azadirachta, Azadiraslita Judica*), Shefalika (*Nyclanther Arborlrister*), Chireta, etc.?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) and (*ii*) A statement is laid on the table.

(*iii*) The member is referred to pages 54, 186, 207 and 307 of Dr. Kanny Lall Dey's Indigenous Drugs of India (Second Edition), 1896, a copy of which is placed on the Library table.

Statement referred to in the reply to clauses (i) and (ii) of unstarred question No. 217, showing the quantity of Quinine Sulphate or Bisulphate manufactured and sold at the Government Quinine Factory in Darjeeling and also the total quantity of the drug imported on Government and private accounts and also the market value.

Year.	Quantity.		Total quantity imported.	Market price per lb.	
	Manufactured.	Sold.		Wholesale.	Retail.
	lbs.	lbs.		Rs. A.	Rs. A.
1912-13 ...	43,853	13,787	Not available.	8 8 and 11 0	11 8 and 13 0
1913-14 ...	51,562	20,959	Not available.	11 0	13 0

Year.	Quantity.		Total quantity imported.	Market price per lb.	
	Manufactured.	Sold.		Wholesale.	Retail.
	lbs.	lbs.		Rs. A.	Rs. A.
1914-15 ...	34,650	34,596	Not available	13 0	15 0
1915-16 ...	41,814	39,743	42,870	14 0	15 8
1916-17 ...	20,903	54,171	23,549	21 0	23 0
1917-18 ...	29,417	98,145	19,405	28 0	30 0
1918-19 ...	32,640	50,236	62,304	28 0	30 0
1919-20 ...	18,138	62,435	105,427	24 0	26 0
1920-21 ...	23,984	34,510	86,862	33 0 and 47 0	35 0 and 49 0
1921-22 ...	22,713	34,006	69,089	36 0	50 0

Purposes for the grant of about Rs. 1½ lakhs to Calcutta University.

218. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing the purposes for which the sum of Rs. 1,48,000 granted to Calcutta University this year was earmarked?

The Hon'ble Mr. P. C. MITTER: A grant of Rs. 1,41,128 has been made during the current financial year to the University of Calcutta for the purposes noted below:—

	Rs.
(1) General administration ...	30,000
(2) University Law College ...	30,000
(3) The George V Professorship of Mental and Moral Philosophy ...	12,000
(4) Hardinge Professorship of Higher Mathematics ...	12,000
(5) Science College Laboratory ...	12,000
(6) Two University Readers ...	4,000
(7) University Lecturers ...	15,000
(8) Minto Professorship of Economics ...	13,000

		Rs.
(9) Deficit on account of house rents for students' messes in Calcutta	...	9,000
(10) Salary of the Inspector of messes in Calcutta	...	3,000
(11) Conveyance allowance of Inspector of messes in Calcutta	...	360
(12) Establishment and contingencies of Inspector of messes in Calcutta	...	768
Total	...	1,41,128

Certified Accountants.

* **219. Rai Dr. HARIDHAN DUTT Bahadur:** (*a*) Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state whether it has been brought to his notice that criminal cases are pending against some of the Government Certified Accountants for alleged complicity in preparing false balance sheets and accounts of some limited companies?

(*b*). If so, will the Hon'ble the Member be pleased to state whether such Certified Accountants have been suspended pending the decision of those criminal cases?

(*c*) Will the Hon'ble the Member be pleased to state—

(*i*) whether these certificates to Accountants, like licenses granted to pleaders, are annually renewable on good conduct or like diplomas are granted for all time;

(*ii*) what is the total number of Certified Accountants in Bengal; and

(*iii*) whether the list is revised periodically?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): (*a*) and (*b*) Government have no information.

(*c*) (*i*) The member is referred to Rule 3 of the Bengal Certified Auditor's Rules, 1920, published under Bengal Government Commerce Department Notification No. 1391Com., dated the 14th April, 1920.

(*ii*) The total number of Certified Auditors on the Bengal List is 37 at present, but there are other auditors working in Bengal holding certificates from other local Governments.

(*iii*) The list is revised periodically and published annually in the *Calcutta Gazette*.

Audit of the accounts of public bodies receiving Government grants.

220. Rai Dr. HARIDHAN DUTT Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether the accounts of all such public bodies as the Society for Oriental Art, Barendra Research Society, the Working Men's Institution, the Social Service League, the Depressed Class Society and the Student Welfare Committee, which are in receipt of Government grants have been audited by Government auditors as is done in the case of local bodies?

(*b*) If not, are the Government considering the desirability of not entertaining any application for the continuance, increment or alteration of all these and similar grants for the next year until they submit such audited accounts for the periods for which they received any Government grant in past years?

The Hon'ble Mr. P. C. MITTER: (*a*) No.

(*b*) No.

Latrine arrangements in local trains of the Eastern Bengal Railway.

221. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) aware—

(*i*) that there are no latrine arrangements in the local trains of the Eastern Bengal Railway: and

(*ii*) that passengers of these local trains, especially when accompanied by children, are often put to inconvenience owing to the want of latrine arrangements?

(*b*) Are the Government considering the desirability of drawing the attention of the Agent, Eastern Bengal Railway, to this state of things and of requesting him to provide such arrangements in the local trains running to Bogula, Krishnagar and Ranaghat?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) No.

(*b*) The attention of the Agent, Eastern Bengal Railway, will be drawn to the matter.

Ishurdi-Sadhuganj railway project.

222. SHAH SYED EMDADUL HAQ: With reference to the answer to clause (*b*) to unstarred question No. 50 put by me on the

20th November, 1922, will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state—

(*i*) whether it is a fact that in accordance with the orders and instructions contained in the Railway Board's letter No. 232-650R.C., dated 20th February, 1914, a survey of the Ishurdi-Sadhuganj railway line was undertaken and completed;

(*ii*) whether he is aware that in the report to the Agent, Eastern Bengal Railway, submitted on the 20th August, 1915, the abstract of cost of this railway line was estimated at Rs. 54,15,918 and not Rs. 43 lakhs as stated in the reply;

(*iii*) whether it is a fact that the total length of the proposed line is 463 miles; and

(*iv*) whether the cost estimated per mile in that report was Rs. 1,16,974?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) Railway Board's letter No. 232-650R.C., dated 20th February, 1914, does not appear to have been received by this Government.

(*ii*) This Government have no information about the report to the Agent or about the estimated cost. The estimate of Rs. 43 lakhs stated in the reply to question No. 50 of 20th November, 1922, was taken from the Railway Board's publication "Railways in India—Administration Report for the year 1920-21," page 81.

(*iii*) and (*iv*) Government have no information other than that given in the "Administration Report" mentioned above.

Impending famine in Pabna.

223. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) aware—

(*i*) that famine is impending in about 100 villages affected by the last flood in the district of Pabna;

(*ii*) that in most of these villages many peopde are not getting even one meal daily and suffering a great deal from want of cloth and winter clothings and that most of the surviving cattle have died and are daily dying in these villages;

(*iii*) that in Barabila, Chithalia and Chalan bil area the people have not received even half of the winter crop this year; and

(*iv*) that springs in the flood-affected area are being destroyed by a kind of insect?

(*b*) What steps are the Government proposing to take to give relief in food and clothings in the flood-affected area?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) The answer is in the negative.

(*b*) In addition to what was stated in reply to the starred question No. LXXI asked by the member during the November session of the Council, it is not proposed to take any further relief measures in the district of Pabna, inasmuch as the local officers' reports do not show that anything more is necessary.

Education amongst depressed classes.

224. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) what steps the Government are taking to spread education among the depressed classes in the districts of Tippera and Pabna; and

(*ii*) what steps have been taken on the resolution regarding the education of the depressed classes moved by Shah Syed Emdadul Haq and accepted in a modified form on the 31st March, 1922?

The Hon'ble Mr. P. C. MITTER: (*i*) Government are taking no steps specifically for the districts of Pabna and Tippera.

(*ii*) A grant of Rs. 30,000 was voted by the Council in the last July session with a view to offer some scholarships to enable promising students of the backward classes to pursue their studies. The scholarships are to be given only on merit and poverty. It was also contemplated (*i*) to give stipends to Sonthali and other aboriginal girls of Bengal domicile in order to qualify as trained teachers; (*ii*) to establish Namasudra hostels in certain localities; (*iii*) to reorganize the Sonthali schools; and (*iv*) to give an increased grant to society for the improvement of backward classes in order to enable it to start more schools.

Owing to financial exigencies the grant has been reduced to Rs. 20,000. It will therefore not be possible to give effect to all the proposals. The distribution under the altered circumstances is under consideration.

Dry " bhang " as an excisable article.

225. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Minister in charge of the Department of Agriculture and Industries aware—

(*i*) that the ayurvedic practitioners (kavirajes) are required to take out licenses for using dry *bhang*;

(*ii*) that no such license is required for using *kuchha bhang;*

(*iii*) that the dry *bhang* is required by the kavirajes for preparing many important medicines specially *modaks*; and

(*iv*) that the applicants for licenses of dry *bhang* from Sirajganj and other places received their licenses this year three or four months after their applications were made to the respective Superintendents of Excise?

(*b*) Are the Government considering the desirability of exempting dry *bhang* from the list of excisable articles at an early date?

(*c*) If not, will the Hon'ble the Minister be pleased to state the reasons for this?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) (*i*) Yes.

(*ii*) License is required for the use of green *bhang* also.

(*iii*) Yes.

(*iv*) Government have no information on the point.

(*b*) There is no such proposal.

(*c*) No grounds for such exemption have arisen.

Passages from the Bible for University Examinations.

226. SHAH SYED EMDADUL HAQ: Is the Hon'ble the Minister in charge of the Department of Education aware -

(*i*) that the introduction of selected passages from the Bible as a course for the I.A. and B.A. classes of the Calcutta University was resented by the orthodox sections of the Hindu community;

(*ii*) that the people of Pabna passed a resolution stating that they are of opinion that Biblical teaching is antagonistic to the Hindu religion, that it is not conducive to the healthy growth of regard for the national religions and that it is a direct infringement of the non-interference policy of the Government in religious matters; and

(*iii*) if so, what are the Government going to do in this matter?

The Hon'ble Mr. P. C. MITTER: (*i*) and (*ii*) This is a matter with which Government have no concern. The decision rests with the University.

(*iii*) Government do not propose to take any action.

Running train outrages and robbery in female compartments.

227. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Police Department aware of frequent instances of outrages and robbery perpetrated in the female compartments in running trains in Bengal?

(*b*) If so, have the Government taken any steps to bring the offenders to justice and to prevent a recurrence of the same?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) No; cases of this nature are not numerous.

(*b*) Such cases are carefully investigated by the Railway Police.

Defamation cases against newspapers.

228. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*i*) how many cases of alleged defamation of Government servants in the press have been brought to the notice of the Government from January, 1921, up to date;

(*ii*) in how many such cases have the Government allowed proceedings to be instituted against the editors or proprietors of newspapers concerned for defamation;

(*iii*) in how many cases was the assistance of the law officers of the Government given to the aggrieved public servants;

(*iv*) what was the amount of expenditure Government have incurred in each case; and

(*v*) what has been the result of each case?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a list of cases referred to in (*a*)?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) (*i*) and (*ii*) Government have sanctioned proceedings in the following four cases:—

(*1*) The *Servant* newspaper.

(*2*) The *Amrita Bazar Patrika* newspaper (Mr. Kidd, Deputy Commissioner of Police, Calcutta, Special Branch, complainant in both cases).

(3) The *Amrita Bazar Patrika* newspaper (Mr. H. Graham, I.C.S., District Judge, Rajshahi, complainant).

(4) The *Dainik Basumati* newspaper (the Sub-Inspector of Police, Galachipa, Bakarganj, complainant).

(*iii*) In all the above cases;

(*iv*) (*1*) Rs. 6,440 in the lower court. Rs. 2,805 in the High Court. There are still some more bills to pay.

(*2*) Nothing so far.

(*3*) Rs. 2,595-2-6.

(*4*) As far as is known the amount spent is Rs. 35.

(*v*) (*1*) Of the two accused in the case one was sentenced to pay a fine of Rs. 500, in default three months' simple imprisonment and the other to pay a fine of Rs. 50, in default one month's simple imprisonment. Both accused appealed to the High Court. The cases were heard together by Newbould and Suhrawardy J. J. The Judges have differed and the case was referred to the Chief Justice on 4th January, 1923.

(*2*) No action has yet been taken pending the result of the proceedings in the *Servant* case.

(*3*) The accused having unconditionally apologised the case was withdrawn.

(*4*) The accused having apologised the case was withdrawn.

(*b*) The information is furnished under clause (*a*) (*i*) above.

Periodicals in Bengal.

229. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Political Department be pleased to lay on the table a statement showing—

(*i*) the number of dailies, weeklies and other periodicals—both English and Vernacular—in this presidency;

(*ii*) how many of these papers are owned by (*a*) Indians, and (*b*) Anglo-Indians;

(*iii*) which of these papers are owned by (*a*) Indians, and (*b*) Anglo-Indians; and

(*iv*) what is the approximate number of subscribers to each of these papers?

The Hon'ble Mr. H. L. STEPHENSON: The information is not readily available.

Survey and Settlement Department.

230. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether the Survey and Settlement Department conducting survey and settlement operations under Chapter X of the Bengal Tenancy Act is under the Government of Bengal or the Government of India?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The Department is under the Government of Bengal so far as Bengal is concerned.

Apprehended budget deficit.

231. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) whether it is a fact that a deficit of about one crore of rupees is apprehended in the next budget; and

(*ii*) if so, how is it proposed to meet the apprehended deficit?

The Hon'ble Mr. J. DONALD: (*i*) and (*ii*) The answer to this question will be found in the Budget which will be presented to Council on the 19th February next. No statement can be made at present.

Legislation for State aid to industries.

232. Babu DEBI PROSAD KHAITAN: With reference to the reply given on the 20th November, 1922, to clause (*b*) of unstarred question No. 45, will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state when it is intended to introduce legislation in this Council on the lines of the Madras State Aid to Industries Bill?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: The Madras Act is being examined and its suitability to the circumstances of Bengal is being considered. Until this has been done it is impossible to state definitely when legislation will be introduced.

Motor bus services in Calcutta.

233. Mr. RAZAUR RAHMAN KHAN: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether

it is a fact that motor bus services, other than those of the Tramways Company, are not allowed to be opened in the City of Calcutta?

(*b*) If so, will the Hon'ble the Member be pleased to state the reasons for this?

(*c*) If the answer to (*a*) is in the negative, are the Government considering the desirability of taking steps to grant further legal sanction to the opening of motor services other than those of the Tramways Company in Calcutta?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) No.

(*b*) Does not arise.

(*c*) No further legal sanction from Government is necessary. Applications for the registration of motor omnibuses are dealt with by the Commissioner of Police under the prescribed motor vehicles rules.

Exemption of cess charges in respect of petty revenue-free lands.

234. Babu NALINI NATH ROY: (*a*) Is the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) aware that a few years back, there was a proposal to exempt the zamindars from the liability of collecting the cesses of those revenue-free lands that are charged with cesses which are too small to pay for the trouble and expense of collecting them?

(*b*) Will the Hon'ble the Member be pleased to state what the Government intend to do with regard to such small cesses?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) and (*b*) There was a proposal to grant exemption in respect of petty revenue-free lands. It has not been fully considered by Government yet, but it has been noted for consideration when the Cess Act comes under amendment.

Date-sugar industry.

235. Rai LALIT MOHAN SINGH ROY Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state whether the Special Officer for the investigation into the possibility of improving the date-sugar industry has been appointed?

(*b*) If so, what progress has been made in this direction since his appointment?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) and (*b*) No Special Officer has been appointed, the money allotted for the purpose having since been withdrawn by Government. The District Agricultural Officer of Faridpur has, however, been entrusted to commence the preliminaries during the year in that district under the superintendence of the Agricultural Chemist, in addition to his own duties.

Blocking up of the mouth of river Bamnida.

236. Raja MANILOLL SINGH ROY: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works aware that there is a river named Bamnida within the jurisdiction of Bheramara police-station, in the subdivision of Kushtia, in the district of Nadia?

(*b*) Is it a fact that the mouth of the said river Bamnida has been blocked up by the erection of a bundh by the Eastern Bengal Railway at the 116th mile on the main line from Calcutta?

(*c*) Is the Hon'ble the Minister aware that the free flow of water has been totally stopped, that the health of the locality has deteriorated, and that malaria, cholera, and many other serious epidemics are breaking out every year?

(*d*) Is the Hon'ble the Minister also aware that as a result of this obstruction the fertility of the soil of the locality is also being adversely affected?

(*e*) Is it a fact that the people of the locality submitted a petition to the Hon'ble the Minister, dated the 29th June, 1921, for the erection of a bridge at the mouth of the said river in place of the said bundh to allow free passage of water?

(*f*) Is it a fact that the Registrar, Public Works Department, Railway Branch, Government of Bengal, in acknowledging the said petition by letter No. 816R., dated the 6th July, 1921, informed one of the said petitioners that the petition would receive due attention?

(*g*) Is the Hon'ble the Minister aware that the Deputy Director of Public Health, Bengal, Dr. Sur, at the instance of this Government visited the locality in August, 1921, and on examination of the water of the said river Bamnida found the same to be unfit for human consumption?

(*h*) If so, will the Hon'ble the Minister be pleased to lay on the table the report submitted by Dr. Sur?

(*i*) Will the Hon'ble the Minister be pleased to state what action, if any, has been or is proposed to be taken to remedy the insanitary

condition of the locality caused by the blocking up of the mouth of the river Bamnida?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) to (*d*) The attention of the member is drawn to the reply given to question No. 10, parts (*a*), (*b*) and (*f*), in the November session of the Council, 1921.

(*e*) Yes.

(*f*) Yes.

(*g*) The member is referred to the reply given to question No. 10, part (*c*), in the November session of the Council, 1921.

(*h*) A copy of the report is laid on the table.

(*i*) The attention of the member is drawn to the reply given to question No. 10, part (*g*), in the November session of the Council, 1921. Government are, however, forming a committee to investigate and to suggest remedial measures.

Copy of the Report referred to in the reply to clause (h) of unstarred question No. 236.

I inspected the place with a view to find out if the blocking up of the Bamnida river by the Eastern Bengal Railway authorities has deteriorated the health and wealth of the local inhabitants and if so how it can be best improved.

History.—About 40 years ago the river Padma was flowing close to the place where the railway embankment crossing the Bamnida river is. In those times there were usually high floods in the neighbouring villages destroying the crops in certain years being so close to river Padma. When the railway authorities had to shift the old Damukdia Ghat Station to its present position, which is about 5 or 6 miles up the river, they had to construct the old line. The local inhabitants, I hear, approached the railway authorities to close the mouth of the river Bamnida to prevent flood water occasionally injuring their crops. The railway authorities complied with their request which was an injudicious one resulting in the blocking of one of the natural rivers of the country. They provided only two narrow pipe culverts which are quite insufficient to let in flood water.

Effect on agriculture.—This river used to carry rich silt on the fields beyond fertilizing the land profusely. Although rice cultivation was not possible formerly during floods it was more than compensated by *rabi* crops in those flooded years. Since the closing of this river soil became poorer and poorer and at present it has become practically barren. This is evidenced from the fact that land is sold at much

heaper rate in the affected area than the Padma side of the railway mbankment.

Effect on quality of water.—I inspected the locality when the river Padma was in flood. It was visible that one side of the railway embankment (the Padma side) was flooded, the low-lying lands became one heet of silt-laden water, whereas the other side of the railway line has nly the river Bamnida with rotten water of reddish hue due to decay f vegetables and the lands on its either side lying dry and barren. The villagers on both sides of this river have to use its water for all urposes which no civilized nation can do so. But these ignorant eople had to submit to it.

Effect on health.—Twenty-nine villages were inspected to find out he extent of malaria in the locality. Only two villages, named Bahirhar and Soladag, situated near the source of Bamnida river from Padma and which are flooded with fresh silt-laden water from river Ganges, showed a very low spleen index of 13·7 and 8·04. This shows ow flood water can keep down malaria, when the villages further inland re suffering badly from malaria. The history of closing the river is too ong to make us able to detect the former health of the affected villages. The names of the villages, with their respective spleen indices, are ppended in a separate table.

Suggestion.—There is no doubt that the closing of the river by the ailway embankment led to deterioration in the health of the people and lso in the agricultural condition. The more so it becomes apparent by he fact that on the day of my visit, although not previously informed, he villagers got scent and met me in hundreds to represent their case. They were so bent on having the river opened that if the Government do ot take steps within the near future they would take up this matter in heir own hands and would cut the embankment one night and would ather go into gaol than suffer any more from the bad effects of cutting ff of the fresh, rich silt-laden water introduced from the river Ganges. was rather surprised to see the attitude of the people. I quieted them own and gave them hopes that they would get this opened in the near uture. To get the full benefit from flood water a bridge must be contructed to the whole width and depth of the river Bamnida or at least 20-foot span one of the same depth. The object of opening up this ridge is to cover the whole inland area with silt-laden water to result n the increase in the output of agricultural products and in the decrease n malaria directly by decreasing the number of anopheline mosquitoes nd indirectly by improving the economic condition of the poor mass.

S. N. SUR, M.B., D.P.H., D.T.M. ETC.,

Assistant Director of Public Health,

Malaria Research, Bengal.

Spleen index of villages of the river Bamnida—coming from Damukdia—29th August, 1921.

RIGHT SIDE.

——	F1.	F2.	F3.	F4.	U.	Bu.	T. S.	N. S.	G. T.	Percentage.
1. Bittipara	3	6	1	1	...	...	11	14	25	44
2. Gusbari	4	6	3	2	...	...	15	19	34	44
3. Pearpur	4	4	1	1	1	...	11	12	23	47·8
4. Lakhidhardear ...	4	7	2	1	...	...	15	13	28	53·5
5. Serpoee	5	4	2	1	...	...	12	14	26	46
6. Amla Sadorpur ...	6	8	8	1	3	2	28	17	45	62·2
7. Namalpur	4	5	4	2	1	...	16	17	33	48·4
8. Satgachia	6	4	1	2	1	...	14	17	31	45·1
9. Jhaodia	3	3	4	4	...	1	15	14	29	51·7
10. Khemodia (*18 15*) ...	8	6	18	21	5	1	59	21	80	73·7

LEFT SIDE.

11. Damukdia (*19·54*)	0	6	7	9	1	0	23	16	39	58·9
12. Mahisapore (*22·72*)	7	4	1	2	1	1	16	22	38	42·1
13. Forasgpore (*7·35*) ...	4	7	12	10	4	3	40	42	82	48·7
14. Bhersamara ...	3	3	...	...	...	...	6	49	55	10·9
15. Satberia	3	2	.	...	...	...	5	15	20	25
16. Kodullapara ..	6	3	1	1	...	...	11	30	41	26·8
17. Khoyspore	4	7	4	3	1	...	18	14	32	56·2
18. Bebsisa	6	7	1	2	1	...	16	20	36	44·4
19. Gubtola	5	2	1	...	...	.	8	10	18	44·4
20. Lakhipore	4	3	2	2	2	1	14	12	26	53·8
21. Paharpur	4	6	2	2	...	1	15	15	30	50
22. Moherkhola ...	3	4	2	2	1	...	12	12	24	50
23. Chitla	6	4	5	3	...	...	18	14	32	56·2
24. Talberia	4	5	3	1	...	...	13	13	26	50
25. Nuodupara ...	5	5	7	3	...	...	20	21	41	48·7
26. Bahirchar (*5*) ...	2	1	1	0	...	...	4	25	29	13·7
27. Soladag (*4·76*) ...	3	1	2	1	...	...	7	80	87	8·04

The figures in italics indicate spleen indices per cent. as I found in November, 1918.

(Sd.) R. B. K.

Bill September, 1922.

Provincial Police Service and number of Muhammadans therein.

237. Mr. S. MAHBOOB ALEY: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether one of the posts of the Deputy Commissioners of Police in Calcutta is reserved for the members of the Provincial Police Service?

(*b*) If so, will the Hon'ble the Member be pleased to state—

(*i*) how many officers were appointed to this post either permanently or temporarily; and

(*ii*) what was the number of Hindus, Christians and Muhammadans appointed to that post?

(*c*) Will the Hon'ble the Member be pleased to lay on the table a list of Assistant Commissioners (including acting, officiating and temporary) appointed in the Calcutta Police since the creation of this post in 1916 showing how many of them were—

(*i*) Hindus,

(*ii*) Christians, and

(*iii*) Muhammadans?

(*d*) If no Muhammadans were appointed as referred to in (*c*) is the Hon'ble the Member considering the desirability of filling the next vacancy by a competent Muhammadan officer?

(*e*) If there is no Muhammadan officer in the Calcutta Police competent to fill this post, are the Government considering the desirability of bringing in one from the Provincial Police as was done in the cases of certain Hindu officers who were given accelerated promotion?

(*f*) Is it a fact that when the Deputy Commissioner, North District, went on two months' leave in October last, his post was filled by an Assistant Commissioner from the Special Branch, and that Inspector N. N. Mazumdar of the Special Branch was promoted to be an Assistant Commissioner superseding several senior officers of the North District?

(*g*) If the answer to (*f*) is in the affirmative, will the Hon'ble the Member be pleased to state what special grounds there were for promoting Inspector N. N. Mazumdar in supersession of 27 officers above him in the Gradation List?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) Yes.

(*b*) (*i*) Deputy Commissioners: Rai Bahadur Purna Chunder Lahiri (permanently); Rai Bahadur Kunja Behari Mukherji (officiating); Rai Sahib Panna Lall Brahmachari (officiating).

(*ii*) Hindus—2; Christians—1; Muhammadans—Nil.

(c) (i) Permanent: Hindus—Rai Sahib Harihar Mukherji; Rai Bahadur Purna Chunder Lahiri; Rai Sahib Panna Lall Brahmachari; Babu Upendra Nath Bose; Rai Sahib Baidya Nath Mukherji; Babu Nalini Nath Sen; Babu Bhupendra Nath Banarji; Babu Mohendra Nath Mukherji.

Acting: Babu Bhabanath Choudhuri; Babu Sukumar Banarji; Rai Sahib Nalini Nath Mazumdar; Babu Mohendra Nath Sinha.

(ii) Permanent: Christians—Rai Bahadur Kunja Behari Mukherji; W. Cook; J. Mulcahy; A. Farrow; D. Fisher; W. Mulcahy; J. Woolley; J. Shevlin; R. Robertson; E. A. Hartley; E. Jennings (deceased).

Temporary: L. Jackson.

Officiating: J. Creffield.

(iii) Muhammadans—Nil.

(d) The claims of senior officers must be duly considered.

(e) No.

(f) Yes.

(g) This is a specialised appointment.

Assault on Jatindra Nath Dhari.

238. Babu JATINDRA NATH BASU: (a) Has the attention of the Hon'ble the Member in charge of the Police Department been drawn to the cases of assault on one Jatindra Nath Dhari, in which the Northern Division Magistrate found that Inspector M. N. Pandit failed in the performance of his duty and that his "solicitude was not for seeing that justice was done but to save the culprits"?

(b) What steps have been taken with reference to the conduct of Inspector M. N. Pandit and of constables Sewpujan Sing and Sitaram Panday?

(c) Is it a fact there was a charge that three or four other constables had joined in the assault on Jatindra Nath Dhari?

(d) If so, will the Hon'ble the Member be pleased to state whether any steps have been taken to find out the culprits other than Sewpujan Sing and Sitaram Panday?

(e) Were the constables other than those two produced for identification? If not, why not?

The Hon'ble Mr. H. L. STEPHENSON: (a) Yes.

(b) The Inspector is under suspension pending disposal of the appeal preferred by Government for the enhancement of the sentences passed on the two constables. The constables have been dismissed.

(*c*) Yes.

(*d*) Inquiries were made. Witnesses failed to identify the others.

(*e*) Yes.

Vital statistics of Vishnupur (Bankura).

239. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing, year by year, for the last five years ending in June, 1922—

(*i*) the number of deaths, according to census, in the subdivision of Vishnupur (district Bankura); and

(*ii*) the number of births and the infant mortality in the said subdivision?

The Hon'ble Sir SURENDRA NATH BANERJEA: A statement is laid on the Library table.

Defalcations in the office of the Inspector-General of Police.

240. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) the total amount of defalcations in the office of the Inspector-General of Police, Bengal, during the current year;

(*ii*) the manner in which the Government are going to compensate themselves for the loss; and

(*iii*) the steps, if any, that have been taken to prevent a recurrence of the same?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) to (*iii*) The matter is under inquiry and information is not yet complete.

Picketing.

241. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Political Department aware that picketing of foreign cloth shops was started by the national volunteers at Chaukbazar and Babubazar in Dacca some time ago?

(*b*) Is it a fact that Mr. Giris Chandra Sen, the Sessions Judge of Pabna, has declared in his judgment in the Chandnikona appeal that peaceful picketing is no offence at all?

(*c*) If so, are the Government considering the desirability of issuing instructions to the Magistrates and Police in the Presidency not to arrest any person for peaceful picketing?

(*d*) If the answer to (*c*) is in the negative, will the Hon'ble the Member be pleased to state the reasons for this?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Government have received reports to the effect that foreign cloth shops have been picketed in Dacca.

(*b*) A remark to that effect occurs in the judgment referred to.

(*c*) No.

(*d*) Because peaceful picketing is not susceptible of accurate definition.

Sara-Sirajganj Railway.

242. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state—

(*i*) what is the guarantee given by the Government to the promoters of the Sara-Sirajganj Railway;

(*ii*) what dividends were given by the said Railway Company to the shareholders in each of the last three years;

(*iii*) what is the total length of the line;

(*iv*) what was the total cost of its construction;

(*v*) what was the length of time allowed for its construction;

(*vi*) who is the Managing Agent of this Railway;

(*vii*) whether the Government imposed any conditions on the promoters of this Railway;

(*viii*) what is the nature of the Government supervision over this Railway;

(*ix*) whether the Government participated in its profits over and and above the guarantee;

(*x*) if so, what is the amount the Government got on each occasion; and

(*xi*) what are the dates of such participations?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*), (*iii*) to (*v*), (*viii*) and (*ix*) The information is given on pages 45-47 of the Railway Board's publication "History of Indian Railways" corrected up to 31st March, 1918.

(*vi*) Messrs. Gillanders, Arbuthnot and Company.

(*ii*), (*vii*), (*x*) and (*xi*) The Government of Bengal have no information. These questions should be put in one of the chambers of the Central Legislature.

Baral river.

243. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) whether he is aware that the silting up of the river Baral in the districts of Rajshahi and Pabna have made numerous villages on the banks of this river unhealthy; and

(*ii*) whether it is a fact that the Pabna District Conference presided over by Sir Ashutosh Chaudhuri passed a resolution in June, 1920, urging upon Government to undertake the dredging operations of this river?

(*b*) Are the Government considering the desirability of taking steps to dredge the source and mouth of this river at an early date? If not, why not?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) (*i*) Government have received intimation to this effect.

(*ii*) Government have no information on this point.

(*b*) No, because it might alter the course of the Ganges.

Pabna Municipality.

244. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) the number of wards into which the Pabna municipality is divided;

(*ii*) the number of Muhammadan voters in each ward of the municipality;

(*iii*) the number and denomination of voters in each ward of the municipality; and

(*iv*) the number of elected and nominated Muhammadan municipal Commissioners in the municipality this year and during the last ten years?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) Four.

(*ii*), (*iii*) and (*iv*) This information is not immediately available to Government and Government are of opinion that its utility would not be commensurate with the labour and time involved in its compilation.

Process-servers.

245. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) whether he has received the Proceedings of the Second Conference of Process-servers which was held at Rajshahi; and

(*ii*) if so, what steps, if any, have the Government taken in the matter?

(*b*) Is the Hon'ble the Member aware that the process-servers in many districts have to watch the office and do other works also, and do no work in the matter of the delivery of processes?

(*c*) If so, will the Hon'ble the Member be pleased to state in which of the districts the process-servers have to watch the offices?

(*d*) Is it a fact that the work of watching can be done by appointing office peons on comparatively less pay?

(*e*) If so, why is such work done by process-serving peons whose pay is comparatively more?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) (*i*) Yes.

(*ii*) The attention of the District Judges was drawn to such grievances of the process-servers as Government thought worthy of notice.

(*b*) and (*c*) Government are not aware that any process-server is exclusively employed to watch offices at night. Their services are utilized in the intervals of process-serving work during their stay at headquarters for miscellaneous duties and for guarding offices in the day time.

(*d*) Yes.

(*e*) Does not arise.

Case of one Sundar Ali.

246. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware that one Sundar Ali was sentenced to death by the Sessions Judge, Tippera, and executed on the 18th of December, 1922?

(*b*) Was there any appeal by him for mercy to the local Government and the Governor-General in Council?

(*c*) If so, what was the result of the appeal?

(*d*) Are the local Government required by rules to ask for a report from the district authorities before passing any order?

(*e*) Was any report invited (or were the records of the case looked into) by the local Government before passing orders?

(*f*) Was any appeal submitted by the condemned prisoner to the local Government for forwarding the same to His Majesty the King-Emperor for mercy?

(*g*) If the answer to (*e*) is in the affirmative, will the Hon'ble the Member be pleased to state whether the appeal for mercy to the King-Emperor by the condemned prisoner was forwarded to the King-Emperor?

(*h*) If not, will the Hon'ble the Member be pleased to state the reasons for withholding the appeal?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Yes.

(*b*) Yes.

(*c*) The appeal was rejected.

(*d*) No.

(*e*) The records of the case were examined by Government.

(*f*) Yes.

(*g*) and (*h*) No. After the rejection of the prisoner's appeal to the Governor-General in Council the local Government, acting in accordance with the rules laid down in this behalf, did not forward the prisoner's petition to His Majesty the King-Emperor.

Public Works Department roads within the municipalities of Pabna and Tippera.

247. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to lay on the table a statement showing—

(*i*) the names of the roads within the municipal areas of Pabna and Tippera which are under the control of the Public Works Department;

(*ii*) the annual expenditure incurred by the Public Works Department for the up-keep of these roads during the last five years; and

(*iii*) when was each of these roads last repaired and when is it proposed to take them up for thorough repairs again?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) (*a*) There is no road under the control of the Public Works Department within the municipal area of Pabna.

(*b*) Part of the Chittagong Trunk Road within the municipal area of Tippera is under the control of the Public Works Department.

(*ii*) Average annual expenditure is Rs. 351 on the portion of the Chittagong Trunk Road.

(*iii*) Partly repaired in 1921-22 and partly in 1922-23. Thorough repairs will be undertaken when the necessity for the same arises.

Police Department.

248. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table a statement showing—

(*i*) the total expenditure on the Police Department in this presidency in the years 1905-06, 1915-16 and 1921-22;

(*ii*) the number of—

(*1*) Deputy Inspectors-General,

(*2*) Superintendents,

(*3*) Assistant Superintendents,

(*4*) Deputy Superintendents,

(*5*) Circle Inspectors,

(*6*) Sub-Inspectors,

(*7*) Head Constables,

(*8*) Sergeants, and

(*9*) Constables of Police on the 31st day of March, 1906, 1916, and 1922?

(*b*) Will the Hon'ble the Member be pleased to state—

(*i*) whether the Government have any intention of reducing the number of officers in any of the cadres above referred to;

(*ii*) if so, what will be the extent of such reduction;

(*iii*) whether the desirability of appointing at least one Indian as Deputy Inspector-General of Police has been considered; and

(*iv*) if not, what are the reasons for this?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*) and (*ii*) The member is referred to the Annual Police Administration Reports and the statements attached to them.

(*b*) (*i*) and (*ii*) The matter is being considered with reference to the recommendations of the Retrenchment Committee.

(*iii*) and (*iv*) No. These selection appointments are made after due consideration of seniority and merit, and Indian members of the Imperial Police are comparatively junior in the service at present.

Pay of Sub-Registrars.

249. Maulvi FAZLAL KARIM: Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) whether it was announced that the increased rate of salary to the Sub-Registrars would be given effect to from September last;

(*ii*) if so, why has effect not been given till now;

(*iii*) whether it is a fact that the income of the Registration Department is much more than its expenditure;

(*iv*) whether there is any circular or order that the surplus of the income of the Department should not be spent on any other Department before meeting its own demands; and

(*v*) if so, why, before giving effect to their increased rate of salary is the surplus of the income of the department being spent to give effect to the increased rate of salary to the officers of other departments?

The Hon'ble Mr. P. C. MITTER: (*i*) Yes.

(*ii*) Owing to financial reasons it was necessary to postpone the increase of pay until 1st December, 1922.

(*iii*) Yes.

(*iv*) No. A reference is invited to the reply to the question asked by Babu Fanindralal De at the meeting of the Bengal Legislative Council on the 14th March, 1921.

(*v*) In view of the reply given to clause (*ii*) this question does not arise.

Veterinary assistants.

250. Rai MAHENDRA CHANDRA MITRA Bahadur: (*a*) Is the Hon'ble the Minister in charge of the Department of Agriculture and Industries aware of a feeling of discontent growing amongst the veterinary assistants in Bengal in the matter of their pay, travelling allowances, and house rent?

(*b*) Is it not a fact that a few years ago the veterinary assistants were on the same footing in the matter of pay and other privileges as were the sub-assistant surgeons, sub-inspectors of police, excise and schools and that while the pay, privileges and prospects of the latter have been appreciably improved the question of pay, privileges and prospects of the former have not undergone any change?

(*c*) Will the Hon'ble the Minister be pleased to state what action, if any, was taken on the memorial of the veterinary assistants in Bengal numbering 120, submitted to the Government in December, 1920?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) No.

(*b*) It is true that up to the year 1918, when the pay of the veterinary assistants was last revised, the pay of the veterinary assistants and that of the other officers referred to in the question were almost similar although the other privileges attaching to these services were not the same. It is also a fact that since 1918, the pay of the sub-assistant surgeons, sub-inspectors of police, excise and schools has been revised. But Government do not hold that the veterinary assistants are on the same footing with the other officers mentioned in the question.

(*c*) The question of further revision of pay and prospects of the veterinary assistants who memorialised Government in December, 1920, is still under the consideration of Government. The consent of the local bodies who contribute towards the pay of these officers is necessary before the rate can be finally fixed.

Sale advertisements in local newspapers.

251. Babu JOGENDRA NATH ROY: (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware that under order 21, rule 67 of the Code of Civil Procedure, the Civil Courts have the option of advertising sale proclamations in the local newspapers, but the subordinate courts have to do the same under the orders of the District Judges, in all cases, without exercising their own discretion as to the necessity or otherwise of such advertisements?

(*b*) Are the Government considering the desirability of putting the subordinate courts on the same level in this matter as the civil courts?

(*c*) Will the Government be pleased to lay on the table a return of the newspapers in which sale advertisements are inserted?

(*d*) Are the Government considering the desirability of discontinuing sale advertisements in those papers which do not have a large circulation?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Under rule 100 (*c*), Chapter I of the General Rules and Circular orders of the High Court, Calcutta (Civil), the subordinate courts have every opportunity to exercise their own discretion as to whether a particular sale proclamation should be advertised or not in the local newspapers selected by the District Judge.

(*b*) The question does not arise.

(*c*) The member is referred to the statement laid on the table in reply to question No. XXXVIII asked by Rai Upendra Lal Ray Bahadur at the meeting of the 25th August, 1922.

(*d*) The matter of publication of sale notices in particular newspapers is within the discretion of the court, and Government do not propose to interfere with that discretion.

Tolly's Nala.

252. Babu AMULYA DHONE ADDY: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state what steps have been taken for the canalization or other improvements of Tolly's Nala and what progress has been made with the schemes in this connection up to date?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The Samokpota sluice was built in 1921 to prevent the tides meeting in Tolly's Nala.

The condition is being carefully observed, but Government will not be able to say definitely till the cold weather of 1923 whether anything further is necessary to be done.

Madaripur Bil route canal embankment.

253. Babu BHISHMADEV DAS: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state—

(*i*) whether another embankment is being raised on the north bank of the Madaripur Bil route canal;

(*ii*) whether this embankment will affect the drainage system of the locality; and

(*iii*) whether it is in the contemplation of the Government to provide sufficient waterways in the locality?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*i*) The answer is in the negative.

(*ii*) Does not arise.

(*iii*) Does not arise.

Diet allowance for Indian patients in hospitals in Pabna.

254. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the amount of daily diet allowance per head for Indian patients in (*a*) Pabna Sadar, and (*b*) Sirajganj hospitals, respectively, in the district of Pabna each year, during the last three years; and

(*ii*) the amount of such allowance in hospitals in each district of Bengal during the year 1921-22?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) (*a*) Pabna Sadar Hospital: 1919—Rs. 0-3-7; 1920—Rs. 0-3-7; 1921—Rs. 0-3-7.

(*b*) Sirajganj Hospital: 1919—Rs. 0-4-1; 1920—Rs. 0-5-2; 1921—Rs. 0-3-9.

(*ii*) The maximum diet scale in mufassal hospitals in Bengal during the period in question was four annas a day.

Sirajganj-Bogra railway project.

255. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state what progress has been made with the project of constructing the Sirajganj-Bogra railway which was recommended by the local Government to the Government of India for inclusion in the programme of projected railways for the years 1921-22 and 1922-23?

(*b*) Has the line been surveyed?

(*c*) If so, what is the length of the proposed railway and the amount estimated for the construction of the said line?

(*d*) If the answer to (*b*) is in the negative, when and by what agency is it proposed to take up the survey of this line?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) The Railway Board have sanctioned the survey.

(*b*) No.

(*c*) Not known.

(*d*) The survey will be taken up by the Eastern Bengal Railway when they are in a position to do so.

Prisoners in jails.

256. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state what was the proportion of different classes of convicts to their respective free population per 10,000 in the jails of Bengal in the years 1920, 1921 and 1922?

(*b*) Is it a fact that the percentage of criminals among Muhammadans is higher than among other communities?

(*c*) Will the Hon'ble the Member be pleased to state the number of special class prisoners who were convicted from November, 1921, to November, 1922, month by month, in the jails of the Presidency who were convicted under sections 124A, 153A, Indian Penal Code, section 108, Indian Penal Code, read with section 114, Criminal Procedure Code, or the Criminal Law Amendment Act, sections 17(*1*) and (*2*)?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. H. L. Stephenson): (*a*) and (*b*) The member is referred to the Census Report for Bengal for the year 1911 and the Annual Administration Reports of the Jail Department of this Presidency.

(*c*) The information is not available and the labour involved is incommensurate with the value of the reply to the public.

Educational officers in Pabna.

257. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the number of Hindu and Muhammadan Sub-Inspectors, Deputy Inspectors and District Deputy Inspectors of Schools in the Pabna district; and

(*ii*) the percentage of the Hindu and Muhammadan officers referred to in (*i*)?

(*b*) Is it a fact that the Muhammadan population of the Pabna district is over 70 per cent?

(*c*) Will the Hon'ble the Minister be pleased to state the total number of educational officers in the district of Pabna with their race and rank?

The Hon'ble Mr. P. C. MITTER: (*a*) A statement is laid on the table.

There are no such officers as Deputy Inspectors of Schools.

(*b*) Yes.

(*c*) A statement is laid on the table.

Statement referred to in the reply to clause (a) of unstarred question No. 257, showing the number of Inspecting Educational Officers, Hindus and Muhammadans, in the district of Pabna.

Sub-Inspectors—

Hindus—Nil; Muhammadans—5; Total 5.

Subdivisional Inspectors—

Hindus—1; Muhammadans—1; Total 2.

District Inspectors—

Hindus—Nil; Muhammadans—1; Total 1.

Percentage of Officers: Hindus 12·5; Muhammadans—87·5.

Statement referred to in the reply to clause (c) of unstarred question No. 257, showing the number of Educational Officers, Hindus and Muhammadans, in the district of Pabna.

Hindus.

Subdivisional Inspector of Schools (150—10—250)	...	1
Head Master, Zilla School, in the Bengal Educational Service	...	1
Assistant Head Master, Zilla School (150—10—250)	...	1
Assistant Masters, Zilla School (75—5—200)	...	9
Head Pandit, Zilla School (60—4—160)	...	1
2nd Pandit, Zilla School (50—2—80—3—110)	...	1
Drill Master, Zilla School (50—2—80—3—110)	...	1*
Head Master, G. T. School (75—5—200)	...	1
Pandits, G. T. School (35—2—75—3—90)	...	2
Pandit, Circle School (35—2—75—3—90)	...	1
Total Hindus	...	19

Muhammadans.

District Inspector of Schools in Bengal Educational Service	...	1
Subdivisional Inspector of Schools (150—10—250)	...	1
Sub-Inspectors of Schools (75—5—200)	...	5
Assistant Masters, Zilla School (75—5—200)	...	3
Head Maulvi, Zilla School (60—4—100)	...	1
2nd Maulvi, Zilla School (50—2—80—3—110)	...	1
Pandits, G. T. Schools (35—2—75—3—90)	...	2
Pandits, Circle Schools (35—2—90)	...	2
Total Muhammadans	...	16

Total number of Educational Officers in the district of Pabna—35.

Saraswati river.

258. Babu SATISH CHANDRA MUKHARJI: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state whether the survey for the excavation of the Saraswati river in the Hooghly district has been completed?

(*b*) If so, will the Hon'ble the Member be pleased to state whether an estimate has been prepared for the same?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) The survey has not yet been quite completed.

(*b*) An estimate for the project will be framed as soon as all the necessary data have been collected as the result of the survey.

Khulna railway and steamer stations.

259. Babu HEM CHANDRA NASKER: Will the Hon'ble the Minister in charge of the Department of Public Works (Railway Branch) be pleased to state—

(*i*) whether the present railway and steamer stations at Khulna are being threatened by the Bhairab river;

(*ii*) whether any inquiry has been made into the matter;

(*iii*) if so, what has been the result of the inquiry;

(*iv*) whether there has been any proposal to shift the present railway station to a site on the bank of the Rupsa; and

(*v*) what has been the decision of the Government in the matter?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) There are no signs of any erosion.

(*ii*) In view of the statement above no inquiry is necessary.

(*iii*) The question does not arise.

(*iv*) No.

(*v*) The question does not arise.

Calcutta Research Tannery.

260. Rai LALIT MOHAN SINGH ROY Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state the work done by the Calcutta Research Tannery in the matter of improving the tanning industry of the province?

(*b*) Have the Government any further scheme for the improvement of the Research Tannery?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) The member is referred to the reply given to starred question No. LXIII (*a*) (*iii*) asked by Professor S. C. Mukherji at the meeting of the 29th August, 1922.

(*b*) The Department of Industries had worked out a scheme for the development of a school of Tanning and Leather Chemistry, but this was held up on account of a proposal from the Government of India to co-operate with the local Government in developing the Research Tannery both on the educational side and on the manufacturing side. If the scheme of the Government of India does not come into being, the Department of Industries intends to revive the less ambitious scheme referred to above.

Certificate under section 72 D of the Government of India Act.

The Hon'ble Mr. J. DONALD: I beg to lay on the table the following certificate:—

PARTITION OF MYMENSINGH DISTRICT.

Under proviso (*b*) to section 72D (2) of the Government of India Act, I hereby authorise as a case of emergency the excess expenditure of Rs.32,575 incurred during the year 1921-22 in closing down the works in connection with the partition of the district of Mymensingh.

LYTTON,

Governor of Bengal.

The 20th January, 1923.

Resolutions

(on matters of general public interest).

Medical school at Chittagong.

Mr. PRESIDENT: Order, order! The resolution which stands in the name of Babu Annada Charan Dutta was about to be moved by Babu Indu Bhushan Dutta on the 26th instant, when the Council adjourned in absence of a quorum. I call upon Babu Indu Bhushan Dutta to move the resolution.

Babu INDU BHUSHAN DUTTA: I move that this Council recommends to the Government that immediate steps be taken to establish the proposed medical school at Chittagong and that classes for training compounders and nurses be attached forthwith to the Chittagong hospital, and that provision for the same be made in the coming budget.

This is one of the long overdue resolutions, that touch the most backward division of Chittagong in the Presidency of Bengal. The cry that has been raised throughout the whole of the province during the last three or four years is the increase of mortality. Sir, in remote villages, we always find that this increase of mortality is, to a certain extent, due to the want of proper medical treatment. The district boards have tried their hardest to put doctors in the village areas, but there are areas for miles and miles round, where doctors cannot be had either for love or for money. The number of medical schools and colleges in this province is very limited; and every year, we find hundreds and hundreds of students, who are only too anxious to get admission into medical schools and colleges, being turned away for want of seats. From the Calcutta Medical College, the Belgachia College, the Dacca Medical School, the Campbell Medical School, and even the Burdwan Medical School, we have heard that numbers of students are being sent away every year because there is not enough accommodation. When there is such a dearth of doctors in this country, this state of things, to say the least of it, is deplorable. Unfortunately, the poor division of Chittagong has been the greatest sufferer for want of proper medical education. I will give some figures in support of this statement. I put a question sometime ago in this Council to find out the average number of students who have been admitted into the Calcutta Medical College; and from the statement of the Hon'ble the Minister, I find that the average number during the past five years is this: From the Presidency Division 62 were admitted, from the Burdwan Division 38, from the Dacca Division 23, from the Rajshahi Division—from where my friend, Babu Kishori Mohan Chaudhuri, hails—9, and from my own division of Chittagong 8 boys were taken in. Sir, just think of it—only 8 boys,—whereas the Presidency Division got 62 and the Burdwan

Division 38. I think the members of this Council will join hands with me, when I say that my poor division has been left in the cold shade of neglect. Sir, we heard some time ago in this Council that the Industries Department neglected the case of Chittagong, because that department loved Bengal more. I hope, in this matter, at any rate, the Medical Department will be pleased to love Chittagong the more, because it has been neglected for years and years. Then, Sir, I understand that according to the new rules, the Campbell Medical School hardly admits students from East Bengal, and if I am not mistaken, students from the Chittagong Division are not given as much facilities in the Dacca Mitford Medical School as those from the Dacca Division. It is, therefore, quite clear that students from Chittagong have absolutely no scope for medical training up to now. This fact was taken into serious consideration by the committee that was appointed by the Hon'ble the Minister and they recommended that a medical school should be established at Chittagong at an early date. We, Sir, in the district boards have been trying to move the people for subscriptions for this proposed medical school. I think it will be of advantage if I bring to the notice of this Council that the Noakhali district board has allotted Rs. 7,000, the Comilla district board a similar sum, and the Chittagong district board even a larger amount in the next year's budget for this proposed medical school. Now, Sir, it would be a great pity if this money were allowed to lapse, simply because Government did not come forward with some help during the next year. The necessity of this medical school has been admitted by no less a personage than the Hon'ble the Minister himself as well as by the highest authority in the land, and I do not think there is any member in this Council who would oppose this measure, in spite of the financial difficulty that is staring the Government in the face to-day. Financial difficulty or no financial difficulty, medical education must be given to the people if you want to be a healthy nation at all. I do not think it is at all necessary to speak further on the subject, but I appeal to the Hon'ble the Minister to be good enough to see that the money which has been allotted by the different district boards may not be allowed to lapse for want of timely Government support.

With these few words I beg to commend the resolution for the acceptance of this House.

The Hon'ble Sir SURENDRA NATH BANERJEA: I may state at once in reply to my friend that Government desires heartily that the Chittagong medical school should be established as early as possible. In making an announcement in this connection, I think, I said last year that I had laid down a programme of the expansion of medical schools. I said that our first step would be the establishment of a medical school at Mymensingh, Chittagong would occupy the second place, and Berhampore the third. I think this statement was received with a

sense of satisfaction by the members representing the Chittagong Division. Government is now in financial difficulties, and if we had money I have not the slightest doubt we should vote the money in the order of precedence that I have suggested. Unfortunately we have not the money. In the meantime we propose to help the movement in favour of the establishment of a medical school at Chittagong—a movement in which the Government and myself are in strong sympathy. We are therefore in this dilemma. We are pledged to establish the school second in our list as soon as funds are available and funds are not forthcoming just at present. I have learnt with great satisfaction that the Noakhali, Comilla and the Chittagong district boards have all come forward with contributions in aid of this movement. I had the opportunity of discussing this matter with my friend, who is very keen about it, and desire to repeat the assurance which I gave to Mr. Annada Charan Dutta last year, that as soon as a local committee had been formed and the scheme was in working order, I would be prepared as Minister of Public Health to make an advance from a fund which I hold and the disposal of which is entrusted to me. Last year when His Royal Highness the Prince of Wales was here Kumar Sanat Kumar Mukherji, the worthy son of a worthy father, placed at my disposal a sum of Rs. 51,000 to be devoted to the expansion of medical schools in the mufassal. I promised Mr. Annada Charan Dutta that I was prepared to make an advance from that sum irrespective of the budget or the responsibility of Government. I desire to repeat that assurance again, that I am prepared to make an advance out of this sum as soon as a committee has been formed and a scheme sketched out and is in working order. I hope therefore my friend, with this assurance, will withdraw this resolution.

Babu INDU BHUSHAN DUTTA: In view of the assurance of the Hon'ble the Minister that the money will be advanced as soon as a scheme is ready and the committee appointed, I beg to withdraw my resolution.

The motion was then, by leave of the Council, withdrawn.

Improvement of the Karatoya river.

Khan Bahadur Maulvi HAFIZAR RAHMAN CHAUDHURI: I move that this Council recommends to the Government that immediate steps be taken to open the mouth of the Katakhali to help the continuous flow of the Karatoya river in order to make it navigable during the dry season and with a view to improve the sanitation of the villages on its bank.

The river Karatoya, as it is at present, is only a narrow channel, choked up with weeds which, during the hot months of the year, rot and emit bad smells, and the decomposed aquatic plants spread malaria

through the villages lying on both banks of it. Before the construction of the railway bridge over the Karatoya the river was navigable throughout the year. Now it is silted up, and so narrow, and, at places with water not even an inch deep, that its present condition threatens danger to the inhabitants of the villages situated on its banks. Its river-borne trade has come to an end except during the rainy seasons, when its banks are overflooded and its depth of water allows free passage of boats of moderate size.

Since the visit of the Sanitary Engineer, Mr. Silk, in 1900, things have entirely changed for the worse. He found the river Karatoya as a steady stream of clear water in which aquatic weeds thrived, but it is now in most places silted up and full of weeds which thrive only during the rainy season and become decomposed during the hot months and become a hotbed of malaria. At the time of the visit of Mr Silk, the health of the residents of Bogra town and that of the people of the villages lying on its both banks was good.

Within these 22 years, with the silting up of the Karatoya, the health of the inhabitants of these villages has become bad. No current now flows through this river during the dry season, and this has been a source of apprehension to the inhabitants of the villages on its banks.

As a means of communication between the many large *hats* and markets which were once centres of great trade, it is, in its present condition, quite useless.

The great rapidity with which the decomposition of the weeds and the silting up are going on, threatens to seriously affect public health.

I therefore urge the necessity of deepening its bed, not only for the sacredness of its water that attracts thousands of devoted pilgrims to bathe in it, at stated times, but also for its insanitary condition affecting the health of the residents of Bogra town and of those of the villages lying on its banks.

Kumar SHIB SHEKHARESWAR RAY: I have been asked by several members of my constituency in the district of Bogra to support the resolution of my friend, Khan Bahadur Maulvi Hafizar Rahman Chaudhuri, and I have much pleasure in doing so. The river Karatoya is a sacred river of the Hindus and has been mentioned in the "Purans." It was a mighty river once; taking its rise in the Himalayas and draining the vast plains of the Varendra Bhumi, it ultimately flowed into the sacred Ganges. Even as late as 1810, Buchanan-Hamilton speaks of it as "a very considerable river of the greatest celebrity." The great floods of 1787 sounded its death-knell and thereafter its decay has been rather rapid. In 1820 there was another heavy flood which, by breaking down its east bank near Gobindganj in Rangpur, diverted its main course to the Bangali. In 1854 an attempt was made to resuscitate the river. A special enactment was passed to levy tolls and

embankments were put up at Gobindganj, and large sums were annually spent on repairs. But all these were of no avail and the scheme had to be abandoned in 1865. Lastly, the famous earthquake of 1897 sealed its doom by the upheaval of its bed in several places. It no longer receives the waters of the Himalayas, but now rises from the water-logged marshes in the north-western regions of Rangpur, and as I have said already, at Gobindganj its main channel is diverted towards the Bangali and goes by the name of Katakhali. The Karatoya where it enters Bogra is a small, tortuous, insanitary channel trickling through its old bed. I have some experience of the Karatoya in Bogra and pretty nearly came to losing my life as the result of a motor-boat accident. I can therefore bear testimony to its weed, insanitary, and foul condition.

I cannot say what would be the best way to improve its condition without at the same time interferring with the Bangali and impairing the general drainage of the country. Nor do I know whether the present financial condition would permit any expenditure in this direction. But I do hope that the Hon'ble the Member in charge would take a sympathetic view of the matter and make inquiries whether any relief could be granted.

Maulvi HAMID-UD-DIN KHAN: I stand to support the resolution just moved by Khan Bahadur Maulvi Hafizar Rahman Chaudhuri. Being an inhabitant of the adjacent district of Rangpur, I have some experience of the malaria that prevails in villages on the banks of the river Karatoya. It is no use denying the fact that Bogra is notoriously malarious for the reason that the flow of the river which used to come from the side of the Himalayas through the river Katakhali has ceased as a result, as mentioned by the Kumar Sahib, of the great earthquake of 1897. It is known to most of us that the scourge of malaria that prevails in those parts of the country has not only carried away thousands of people of Bogra and Rangpur, but has carried away one of the most renowned of Surgeons like Dr. Zahiruddin, who was Civil Surgeon of Bogra, a few years ago. I confess I do not know what would be the cost of opening up the mouth of the Katakhali, but I hope the Hon'ble the Member will sympathetically treat this resolution and institute an inquiry to find out what sum will be required for the purpose.

With these words I beg to support the resolution.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: Khan Bahadur Maulvi Hafizar Rahman Chaudhuri has brought to our notice the necessity of improving the river Karatoya in his district for the purpose of navigation as well as for the improvement of the sanitation of the villages on its banks and proposes that Government should take immediate steps to open the mouth of the Katakhali, which, according to him, would help to give a continuous flow in this

river. Kumar Shib Shekhareswar Ray, who also has local knowledge, has told us that although the way or rather the method that the Khan Bahadur proposes does not appeal to him strongly, he certainly advocates the improvement of the river in question, whereas the next speaker has told us that he also supports the idea of the improvement of the river in question in view of the insanitary condition of the country around. Well, Sir, the position so far as the Irrigation Department is concerned is this: that at present it possesses very scanty information on the subject. All the information we have about this at present is that in 1820 the Karatoya river broke through into the Bangali river through the Katakhali khal. Since 1850 attempts have been made to improve the Karatoya, and so far back as 1860 a sum of Rs. 75,000 was spent in trying to get the Karatoya back into its own channel, and I believe that this attempt was made by closing the Katakhali khal. The attempt was a failure. That an attempt costing so much money should have been made seems to show that in 1860, at any rate, it was considered very necessary to close the Katakhali khal in order to improve the Karatoya. In the present resolution we are asked to open the mouth of the Katakhali khal to improve the river in question. We have, as I have already said, no records to show us what the conditions are at the present moment, nor are there any *data* by which we can judge if the measure proposed is sound or the reverse. It is quite possible, in view of the fact that in 1860 an attempt was made to improve the Karatoya by closing the mouth of the Katakhali, that if we open the mouth of the Katakhali, the consequences might be worse. Again, we are not in a position to say if the measure proposed is a purely local question or one involving very considerable issues. I believe in 1908 the members of the district board and the municipality of Bogra in their addresses to the Lieutenant-Governor of Eastern Bengal and Assam, as it was then, drew attention to the deplorable condition of the Karatoya. Of course, the Lieutenant-Governor gave the usual stereotyped reply that it was always a matter involving great difficulty to resuscitate old dying rivers. Apparently the question was gone into by the Sanitary Board and it was dropped in 1906. All these facts point to one conclusion, namely, that the question is very far from being simple and therefore must be examined very carefully before any action can be taken. In these circumstances, I am sure that this House would not expect me to accept the resolution, but this much I can tell the Khan Bahadur, that I shall have the case examined to find out what the condition is at the present moment, and after examination it will be for the department concerned to put up estimates or to put up any proposals that they may have. But it must be clearly understood that if the proposal means any large outlay then, as the Kumar Sahib has pointed out, in view of the present financial condition of this Government no immediate steps can be expected to be taken, but on the other hand, of course, it will be for the department to examine

the matter and to bring the case up to date, and so far as that is concerned, I can assure the mover that I shall have the case examined. But beyond that I cannot give any promise, and if he is willing to withdraw on this assurance, I shall see that the department looks into the matter carefully, but I am not in a position to accept the resolution.

Khan Bahadur Maulvi HAFIZAR RAHMAN CHAUDHURI: In view of the assurance given by the Hon'ble the Member, I beg leave to withdraw the motion.

The motion was then, by leave of the Council, withdrawn.

Withdrawal of resolution.

Mr. PRESIDENT: Babu Debi Prosad Khaitan has intimated to me that he desires to ask for leave to withdraw the following resolution which stands in his name:

"This Council recommends to the Government the immediate appointment of a committee (to contain an adequate number of representatives of European and Indian merchants but with an Indian majority) to fully inquire into and report on—

(*a*) the present condition of the Associations or Exchanges called *Baras* in Calcutta;

(*b*) the modes of business carried on there;

(*c*) the improvements to be effected therein;

(*d*) the control to be exercised over them in future or the advisability of issuing a notification for their abolition; and

(*e*) matters generally incidental thereto."

The motion was then, by leave of the Council, withdrawn.

Mr. PRESIDENT: The following amendment standing in the name of Mr. R. H. L. Langford James falls to the ground:—

"That in the resolution of Babu Debi Prosad Khaitan regarding *Baras*, for the words and bracket '(to contain an adequate number of representatives of European and Indian merchants but with an Indian majority),' the words 'consisting entirely of Indians' be substituted."

Retrenchment Committee's Report.

Mr. PRESIDENT: Order, order! The next resolution on the paper stands in the name of Babu Kishori Mohan Chaudhuri and with this resolution, the two other resolutions which stand in the names of Mr. D. C. Ghose and Babu Indu Bhushan Dutta, respectively, will be linked.

The suggestion that a date should be set apart for the discussion of the report of the Retrenchment Committee is no doubt made because certain days are allotted by Statute upon which the Council are at liberty to discuss the budget as a whole or any question of principle involved in the budget. The report of the Retrenchment Committee is clearly a question of principle involved in the budget and could therefore be debated on the occasion of the general discussion. Babu Indu Bhushan Dutta's resolution asks in effect that the proper authorities be moved to set apart a date before the middle of February for a discussion of the report by the Council. This I hold to be in order for the reason that if the Government were able to accept it they could ask His Excellency to put forward the date of the days for the discussion of the budget.

Babu Kishori Mohan Chaudhuri, however, asks in the second part of his resolution for the fixing of an early date for discussion in order to determine how far or with what modifications effect may be given in the next budget to the recommendations in the report without reference to the higher authorities. I allowed this resolution to go on the paper as a matter of form; but upon considering the substance I have come to the clear conclusion that it is out of order as it asks for a date to be set apart for the discussion of a specific issue although a definite motion in regard to that issue is not before the House. That portion of the resolution cannot therefore be moved.

The first portion of Babu Kishori Mohan Chaudhuri's resolution which asks for a distribution of the report among members has ceased to be a matter of public interest, inasmuch as copies have been circulated

For similar reasons Mr. Ghose's resolution and the first part of Babu Indu Bhushan Dutta's resolution fall to the ground and will not be moved.

As regards the second part of Babu Indu Bhushan Dutta's resolution he will be in order in moving it, but only on the strict understanding that he confines his demand to the putting forward of the date of the days allowed for the general discussion of the budget.

Members will not be precluded by this ruling from expressing their views as fully as they desire on the report of the Retrenchment Committee, but no recommendations can be made by the Council as a body with regard to any of the proposals contained in the report.

I may add that the members who have sent in these resolutions had it within their competence so to frame them that a recommendation could have gone from the Council "to give effect to the report of the Retrenchment Committee with due consideration of the views expressed in this Council," in which case the whole matter would have come up automatically for discussion in the present debate as settled by ballot. They have not, however, done this and the position is as I have stated it.

It is of course open to any member to table a motion for the adjournment of the Council, but no fuller discussion would thereby be assured than that which is now being afforded under my ruling; and, further, no limit of two hours is imposed in the present debate as would operate in the case of a motion for adjournment.

As regards motions for adjournment of the House, I need not remind members that such motions are subject to the orders of His Excellency the Governor. Moreover, to render such a motion admissible in the present instance, the second part of Babu Indu Bhushan Dutta's resolution must be withdrawn at once without any discussion. If discussion takes place on that resolution, a motion for adjournment will be out of order under clause (*m*) of rule 12 (section 80).

I call upon Babu Indu Bhushan Dutta to move the second part of his resolution.

Babu INDU BHUSHAN DUTTA: Before I move this resolution, may I say with reference to the ruling that you were pleased to give just now that it is not possible for me or for any member of this Council to go into the details of the report of the Retrenchment Committee to-day? I would only say that the recommendations of the Committee are of such a far-reaching character that it will be absolutely imperative and necessary for the Government to set apart a day for their consideration and full discussion by this Council. With these preliminary remarks I move that this Council recommends to the Government that the proper authorities be moved to set apart a day before the middle of February for the discussion of the report of the Bengal Retrenchment Committee by the Council.

There is no subject, except perhaps the Calcutta University affairs, that has created such a sensation among the officials and non-officials as the recommendations of what is known as the Bengal Retrenchment Committee. I confess that the scope of the inquiry was so vast and the time allotted to them was so short that we could not expect a detailed recommendation, full of evidence and full of due consideration. In the nature of things, the recommendations must have been rather hastily drawn up and every page of the report bears out that view. All the same, I congratulate the members of that Committee for the vast trouble that they have undertaken in making such suggestions, which show that it is possible to retrench nearly a sum of Rs. 1½ crores, in the face of the statement made by the Hon'ble Sir John Kerr that the bedrock of retrenchment had been reached last year. I think it is a great victory of the Retrenchment Committee over the assertions of the late Finance Member. But, Sir, I do not know whether to congratulate the Retrenchment Committee on its recommendations or to sympathize with them in their failure; some of their recommendations are so good that it is a pity that the others are so retrograde and impossible. The only explanation that seems to strike me is that the report seems to have been written

by two separate hands holding two different antagonistic views. Two sets of opposite ideas have been trying to get the upper hand in the report, and the inevitable result has been that irreconcilable views have found place side by side in the report. This was the only thing that could be expected from the composition of a committee, against which we so vehemently protested some months ago. At best it is a compromise report, and has all the drawbacks of a compromise. One set of ideas has apparently been accepted, because otherwise, it was evidently impossible to get the opposite views adopted.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: Is my friend in order in saying all this on the motion now before the House?

Mr. PRESIDENT: I said that members would not be precluded from expressing their views as fully as they desired.

Babu INDU BHUSHAN DUTTA: The axe of retrenchment has been vigorously applied certain important quarters, whereas, it has lost its edge and weight in others. As I have said, no better result could be expected from a compromise. The one outstanding feature is that the recommendations have set the whole country furiously to think. Extravagant praise and quite as extravagant abuse have come from all quarters, and therefore I think it is all the more necessary that both the Government members and the non-official members of this Council should devote one day in order to discuss all the detailed recommendations, and see which of them can be accepted and which should be refused. The first thing that I wish to bring to the notice of this Council is that there is no published evidence on record—the evidence that was taken by the Retrenchment Committee. The value of evidence, in a matter like this, cannot be overrated, and I feel extremely disappointed that the members of the Committee did not think it desirable to record and publish the evidence—the valuable evidence— that they took.

Then, Sir, there is another point which strikes us very much: that by one stroke of the pen this Retrenchment Committee has transformed itself into a Taxation Committee. It took the Government three months and more, involving considerable trouble, to impose three new taxations last year, but in one paragraph this Retrenchment Committee has imposed a taxation of Rs. 20 lakhs in the Registration Department. Sir, when the Government decided on the appointment of a Retrenchment Committee to relieve the poor tax-payers of their heavy burden of taxation, I think it could not have been thought, by even the most ardent supporters of Government, that further taxation would be suggested by the Committee, but they have done so. I think, Sir, it must be admitted that the taxations recommended by the Retrenchment Committee form no part of retrenchment and as such must be refused. Then, Sir, after looking into the report of the Retrenchment Committee of the Central

Provinces, it seems rather curious that the Bengal Retrenchment Committee has not had the courage to touch one pet subject, viz., the Imperial Services. Now that the Secretary of State has been pleased to appoint a Royal Commission to consider the pay and prospects of the Imperial Services, I think it was all the more necessary for the Retrenchment Committee to declare that a poor country like Bengal could not afford to pay such extravagant emoluments to the members of the Imperial Services. The Central Provinces Retrenchment Committee has been bold enough to say that having regard to the income of the average tax-payer of the country, the pay that is demanded by the Imperial Services is utterly out of proportion. We, in Bengal, are evidently lacking in that courage. When Sir John Kerr pointed out that the Imperial Services would be within the scope of inquiry of this Committee, we sincerely trusted that this Retrenchment Committee would tackle that subject and make its recommendations for the consideration of the Secretary of State. I must confess that we have been sadly disappointed in that respect. Then, as regards Provincial and Subordinate Services, it is rather difficult to go into details, but I must say that some of the recommendations are hanging like a sword over some of the Services which we wanted to take the place of the Imperial Services in Bengal. Then, Sir, in some of the transferred departments, I am sorry to say, the heavy axe of retrenchment has fallen rather mercilessly. In the Education Department, I for the life of me, cannot understand how a retrenchment of Rs. 35 lakhs could be made without impairing the cause of education. The state of education in this country is proverbially poor. We want money for the development of primary education; we want money for technical education; we want money for the development of secondary education; we want money for the development of technological education; we want money for the development of medical education. And I should have been glad if the retrenchments made by the Committee in the Education Department were to be utilized for the development of these classes of education but unfortunately the Committee has not made such a recommendation. Then, Sir, I find that the survey schools, which our poor town of Comilla boasts of the only survey school in the province, has been proposed to be abolished by one stroke of the pen. I do not know what evidence was taken, I am a member of the Managing Committee, but we were not asked to give any opinion. I do not know what the department said about it, but to say that the only school of this kind has no necessity to exist is most unfair. Then, Sir, in the nation-building departments of Co-operation and Agriculture, the axe has fallen rather heavily. In Co-operation, whereas the top-heavy posts should have been done away with, the Retrenchment Committee has accepted the opposite view and has kept the top-heavy posts and abolished the posts of inspectors. This can only be expected from a committee on which there was hardly any one having intimate knowledge of the Co-operative Department I am rather surprised that Rai Abinash Chandra Banerjee Baha-

dur, who boasts of taking interest in co-operation, and who declared in this Council that the importance of the services of the co-operative inspectors should not be minimized, should have signed the report that these inspectors should go. There are other discrepancies in this report; for instance, on the most important question of the Indianization of the Services, which every province has been discussing and which is one of the foremost subjects that ought to be discussed in view of the preamble of the Government of India Act, I am sorry to find the Retrenchment Committee saying this:—"In many departments, European officers will be necessary for some years to come, partly for the maintenance of the western standard and partly because a sufficient number of Indians with necessary qualifications are not available . . ." and then I find a statement that the Indian Medical Service is one of the cases in point. I must say that this recommendation took my breath away. It is well known to the members of this Council that during the war a large number of our medical graduates got the Imperial commission. They served well—their records were brilliant; but they have been sent back because Government could not find suitable jobs for them, and in the face of that fact the Retrenchment Committees says that there are not a sufficient number of Indian medical officers and that it is necessary to bring European officers from England. I must say that it is absolutely heart-breaking to have such a recommendation from a committee of which my friend, Babu Surendra Nath Mallik, was a member.

Then, Sir, I find that in the Education Department, where Indian graduates with brilliant records are available, there also it is recommended that some places must be reserved for Europeans.

I do not understand this sentiment. It was a great expectation that we were holding as regards the Indianization of the Services at any rate. Remembering the great speech of Babu Surendra Nath Mallik, delivered on the question of the Indian Police Service, we could hardly expect that this Committee would insult us by saying that there are not sufficient men in this country who are well qualified to dicharge these high duties. I think that is a great insult to this country and I hope that he and his colleagues will withdraw these remarks as regards the Indianization of the Services.

Then, as regards the western standard, I do not know what the western standard is. I have been in England myself. I have seen the administration of England. I can assure the members of this Council that the administration of India, as carried on by the Bureaucracy, is no more like the administration of England than the moon is like the sun, not even as much as that. There is a great deal of difference. We do not want this plea of false western standard to continue. If it is possible to bring in the real western standard, then bring it. We will not have a sham western standard from the Imperial Services.

Babu SURENDRA NATH MALLIK: Is it to be only in the dress?

Mr. PRESIDENT: Order, order! The hon'ble member must be allowed to proceed. Mr. Mallik, you can take notes and reply afterwards.

Babu INDU BHUSHAN DUTTA: Then, as regards the pay of the Services, it will not be possible for me, within the time alloted to me, to go into the details of the question, but one of the principles that they have adopted is this, that the Indian officers doing the same duty should be content with two-thirds of the salary. This point was a great bone of contention between the late Hon'ble Mr. Gokhale and the Government of India and he fought tooth and nail against this, and to-day the apostles of the Retrenchment Committee recommend something, against which Mr. Gokhale fought. It will not be fair on me or on this Council to go into more details of this report, but I will say this, that when I criticize the recommendations of the Retrenchment Committee so vigorously, I do not mean to say that some of their recommendations are not good or that some of them cannot be given effect to at once. I do not say that it is not possible to effect retrenchment up to at least one crore. I think that two crores might be retrenched, but what I do say is this, that in addition to the good suggestions made by them, they have also made suggestions which are absurd. We have been persistently hearing a rumour that the recommendations of the Retrenchment Committee are going to be shelved as far as the next budget is concerned. I hope that it is a baseless rumour. I hope that the Government will try its best to give effect to those recommendations of the Retrenchment Committee which have the concurrence of this Council, and that is why I want to put the middle of February for the discussion and recommendation of this Council. I should like to bring this warning to the notice of Government; let them not shelve this matter. There was a deficit of nearly a crore of rupees in November. I hear that much of that deficit has been wiped out. Even if it is, let the Government remember that the administration of Bengal is extravagant and must be retrenched. Let them not shelve the proposals of necessary retrenchment. Let them take heed that unless the proposals of the Retrenchment Committee, supported by this Council, are given effect to in this budget, we, the non-official members of the Council,—at least, I speak, as a member of the "breezy corner" of the Opposition,—shall be obliged to refuse the whole budget.

Rai FANINDRALAL DE Bahadur: The report of the Retrenchment Committee is published and so there is no need for the first part of the resolution. It is, however, extremely urgent that there should be a general discussion on the recommendations made there. Some of these, for instance, the case of secondary education, are of such striking character, that they show a distinct change in the policy of the Government, although the authors may regard these as only change

of methods, rather than a curtailment of the functions of the Government. The retrenchments recommended in the nation-building departments are so very drastic in nature, that people are seriously questioning the wisdom of demanding reductions of the expenditure of the Government. I do not refer to the protests from interested quarters, but I mean those from the public, who want to know whether the retrenchment proposed in education are consistent with the spirit of the terms of reference. Lastly, it is a questionable point whether, in a country like ours, where illiteracy is universal, epidemics raging, and agriculture, though the principal occupation, in the most primitive form, it is axiomatic that the first duties of the Government are only to give security, to enforce law and order, to collect public revenues, and provide an efficient judiciary and magistracy. Sir, these are vital points. The spirit in which the recommendations are accepted will decide the fate of the province for years to come. It is important, therefore, that all shades of opinion be collected before any line of action is decided. The matter should be exhaustively dealt with here also, where we, the representatives of the people, meet. I therefore support the resolution for allotting a special day for the purpose.

Babu SURENDRA NATH MALLIK: I beg to support this motion for a special day for discussion, as I believe that the members of the Retrenchment Committee do not claim infallibility or that they are likely to do so. If this Council can throw further light on the questions that they have discussed and can get them modified by the light of that discussion, certainly I, of all men, will be most happy to accept. I, therefore, think that a day might be given for this purpose. There is another reason why I wish this. The report is a somewhat voluminous one; it is a big book and it cannot be expected that unless the members have gone through it carefully much good result will come out of this discussion. Much of the criticisms that have already been made seem to me to have been made without the report having been gone through. I think, therefore, it will be better if we give a little more time—hard pressed as we are for time—to the members to go through the book and then it could be discussed with advantage to the contrary.

Mr. F. E. E. VILLIERS: Up to the time when Babu Indu Bhushan Dutta started his very able disquisition on the question of the Retrenchment Committee I must say I had always looked upon men like Sir Rajendra Nath Mukharji, Sir Campbell Rhodes, and Mr. Mallik with little respect and approbation, but as Babu Indu Bhushan Dutta proceeded with his disquisition I must say my feelings of respect towards those gentlemen fell greatly. Fancy such a Select Committee! Fortunately, however, when he was half-way through his speech he was kind enough to say that indeed there were some good points in the document which had been produced by the Retrenchment Committee.

It is indeed a good thing to hear that there are some good points and that the report is not wholly iniquitous! At the beginning of the debate I had felt rather inclined to oppose this resolution of putting aside a day for the discussion of this question. But, Babu Indu Bhushan Dutta having put forward so many points—having, in fact, established himself as being possibly the one gentleman in this Council who alone ought to have been chosen to constitute this Retrenchment Committee—and having upset so many points in the report which I had considered good and championed so many which I had considered bad, that on reconsideration I feel it would be a good thing to put aside a day for this discussion, and as such I heartily support the resolution in order that this Council may have a real chance of choosing between Babu Indu Bhushan Dutta and such ordinary folk as Sir Rajendra Nath Mukharji, Sir Campbell Rhodes, and Mr. Mallik—to say nothing of the remainder of the Committee!

Maulvi A. K. FAZL-UL HAQ: I cannot better express my opinion about the recommendations of the Retrenchment Committee than by saying that I consider most of the recommendations as monstrous, mischievous, and absurd. I am myself very keenly in favour of retrenchment, but that is no reason why I should endorse proposals I was almost going to say insane proposals—which will lay the axe of retrenchment at the very root of the Reforms, and which seem to have been put forward without any regard for the dictates of reason or common sense. I wish, however, to guard myself against being misunderstood. I do not say that there is no recommendation here or there which might not be accepted, but the position I take up is this, that the recommendations should be rejected both on the ground that they will imperil the Reforms and that they would be most disastrous to my community as a whole.

I will deal very briefly with the aspect of the recommendations which affect the Reforms by curtailing the activities of the transferred departments. A cursory glance will convince any one that the deepest cuts have been made in the transferred departments, some of which have been so maimed, mangled, and disfigured that not even a few dry bones have been left. Take the case of the Education Department. There are no longer to be any Government schools, colleges, madrassahs, maktabs, deputy inspectors, sub-inspectors or anything of that kind. There is to be no doubt a Director of Public Instruction with no instruction to direct and with a Minister in charge of the department reduced very much to the same position as the Sultan of Turkey at the hands of Mustapha Kemal Pasha. We have got to remember that these recommendations have been made and Government has been asked to surrender its responsibilities to the people in the matter of popular education and to give up the control of schools and colleges much in the same spirit in which an erring mother abandons her illegitimate children. There is to be

no feeling of remorse, no compunction, nothing of the kind. Withdraw from the field of activities on the plausible excuse that we have got no funds. In retrenching, has not Government any duty to the people of this country? What has been the pronounced policy of Government repeated often and often ever since the famous despatch of 1835? Is it not a fact that Government solemnly took upon itself the duty of setting up model institutions in order that private enterprise might have an example to follow and to continue in the field so long as the people have not shown that aptitude in organizing educational institutions when they can be expected to take up the work which had hitherto been done by the State? In all civilized countries, the education of the people is the first charge on the care and consideration of Government. Can it be honestly said that India has attained that stage of development when Government can withdraw, and withdraw so very fully and so completely as to leave the direction of affairs in education entirely in the hands of the people? What are the proposals? Hand over all these institutions to local bodies! Who does not know that these local bodies have not got sufficient funds at their disposal to meet the ordinary demands of sanitation and education? You talk of taxation and local taxation! We know that in the mufassal it is absolutely impossible to raise any money by taxation. What, then, will be the effect of handing over these institutions? Most unfortunately the result will be dangerous, which will gladden the heart of every non-co-operator! What do they want? They wanted to destroy your institutions because they say that in these institutions young men are taught the principles of loyalty to Government and of loyalty to ordered institutions which it is impossible to reconcile with any revolutionary movement. If Government withdraws, let it not be doubted for a single moment that all these institutions will become the breeding grounds for malcontents, for discontents, for disloyal people, and the great nurseries for revolutionaries to hatch their schemes.

Leaving aside the question of education, come for a moment to Agriculture and Co-operative Credit and allied departments. What do we find? Here, again, Government has been asked to withdraw from the field of activities without any notice whatever and without giving the people any time to consider what is being done with respect to these departments. Only the other day, Government was very enthusiastic in saying that so much has been done in the Co-operative Credit Societies Department that it is to the eternal credit of the officers of the department that they have shown the people a way out of their financial difficulties, that they have taken them by the hand and put them on the road of material prosperity by taking the load of debt from off their heads. Now if Government withdraws all on a sudden, the whole thing falls on non-official shoulders. Can it be said and can it be expected that these co-operative credit societies and agricultural institutions will continue to flourish in the same way as they have been doing so long? I do not mean to say that it is to be expected that Government will keep

eternal control over these departments. That time may come, let us all hope that it will come very soon, but certainly the time has not yet come. At any rate, if there is to be any withdrawal, it ought to be gradual. It cannot be so sudden and so wholesale as has been suggested in the report.

Then, Sir, passing over the other departments of Education, Sanitation, and Public Health, I wish to say a few words as regards the effect which these recommendations will have on the Muhammadan community. One of the recommendations is that the special officers for Muhammadan education should be abolished. And what is the reason given? That these officers are prone to accentuate racial differences and, to put it shortly, to point out to the authorities instances in which Muhammadan interests in education have been neglected. Beautiful logic indeed! These officers have been appointed for a particular purpose and for performing a particular duty. They have done their duty so well that it is time—that it is the reason given—to dispense with their services. A thief once entered a house and found a light burning. "Put out the light," cried the thief, "which interferes with my operation." So said the thief. The report says: "Do away with these posts of Muhammadan inspectors. They point out to the authorities instances in which Muhammadan have suffered; let them go, let them go so that we may sacrifice Muhammadan interests with impunity, so that there may be no one to bring these grievances to see the light of day." Is this fair, is this honest? Is this a just recommendation? As regards these Muhammadan inspectors, let me remind the Council that in the year 1915, I moved a resolution in the Council which, after a great discussion, was accepted by Government for the appointment of these Muhammadan inspectors. Government gave a solemn assurance that these officers would be employed for the purpose not merely of pointing out instances where Muhammadan interests had been neglected but to induce Muhammadans to take more keenly to educational institutions than they had done before. As a matter of fact, these officers had ever considered it their supreme duty to induce Muhammadans to flock in large numbers to schools and colleges so that they may take the fullest advantage of the educational institutions in the country, and they have done this for the last eight years. All on a sudden, the recommendation goes forth that these officers should be dispensed with! If there was any time when these officers would have been more urgently required than ever, it is now, when the activities of a certain section of politicians have induced Muhammadan boys more and more to fall away from the institutions in the country, to desert the schools and colleges, and to boycott English education altogether.

I now come to the question of the abolition of the Calcutta Madrassah. I could hardly believe my eyes when I read those few lines in which the Committee recommends that the functions performed by the Calcutta

Madrassah might as well be performed by other educational institutions; for instance, the Presidency College. It is perhaps not known to this Council that the Calcutta Madrassah has got two distinct departments. One is the Anglo-Persian Department, where instructions is given up to the Matriculation standard, and the other is the Arabic Department, where instruction is given in Arabic, Persian, and Urdu up to a certain standard and the students are allowed to go on higher with their studies in Arabic, in Muhammadan law, theology, the "Koran" and other matters. Is it seriously suggested that the functions performed by the Arabic Department of the Calcutta Madrassah will be performed by the Presidency College? Is it suggested that the European professors of the Presidency College, or for the matter of that one or two Indians there, will perform the same duties as the Moulanas and Shams-ul-Ulamas perform in the Arabic Department of the Calcutta Madrassah? If that is so, then these gentlemen will have to cultivate very long, flowing beards and be decked with flowing robes, discoursing nothing but Arabic and giving to a section of admiring students abstruse interpretation of the "Koran," "Hadis," etc. It would be a beautiful day if it comes and a great triumph for Islam if all these European profesors were to be Shams-ul-Ulamas as well for the time being, so that the Presidency College may perform the functions which are now performed by the Calcutta Madrassah. I wonder if a suggestion like this could have been seriously put forward by a committee which had been appointed to suggest retrenchments in public expenditure.

Leaving aside for a moment the question of the Calcutta Madrassah, I come to another point which is seriously agitating the mind of the public. It is said that the effect of these recommendations will be to terminate certain posts, and the report says that some article in the Civil Service Regulations gives the Government the power to dispense with the services of men in permanent employ simply by giving them timely notice. It is all very well to say that there is an article in the Civil Service Regulations and that those who entered Government service must have entered in the full consciousness that there was that power in the Government to terminate their services. The members of the Imperial Services are protected by their covenants, and of course, so far as they are concerned, they are beyond the recommendations of any such committee. I am reminded here of a little story. I have got just a few minutes. Once upon a time, a mouse and a frog became very great friends. They used to travel together and once upon a time they came to the bank of a river, and they had to cross the river. The mouse suggested to the frog that the frog should take it upon its back. They started swimming across the river, the mouse on the back of the frog. When they had gone a certain distance, the frog found that it was drowning and called out to its friend to return to the bank. The mouse said, "No fear, a little more and we get to the other side," the mouse knowing all the time that it is the frog that is getting the ducking and

that he is secure on the back of the frog. Now the members of the Imperial Services say, "No fear, no fear," but it is the provincial service and the poor ministerial officers who are in the position of the frog who have to fear. I submit that a proposition like this cannot be seriously considered. I have got no further time at my disposal. If a day is allotted, I propose to go into details as regards the recommendations of the Committee.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: It is a matter for notice, that we have always been putting the cart before the horse. Here, Sir, the proposition before the House is to have a day allotted for the discussion of the report of the Retrenchment Committee, but now I find hon'ble members, one after another, proceeding to discuss the report, some to assail it very vigorously and vehemently, and some to support it on certain points. I do not know why His Excellency should allow a day to be fixed for the discussion of the matter if we go into it so fully to-day.

Mr. PRESIDENT: You cannot discuss the discretion of His Excellency the Governor.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I am not discussing the discretion of His Excellency, but is it reasonable, I want to know, that this Council should have its say upon the subject and then have another day for the discussion of the matter?

With regard to the Retrenchment Committee, it is a well-known fact that this Committee was not appointed on the recommendation of any resolution of this House. It was appointed by Government, and Government was anxious that the Committee should do its work as quickly and as expeditiously as possible, and the report is before Government. Before the Government, after consulting the departments concerned, comes to any conclusion as to the acceptance or rejection of the recommendations of the Committee, I do not know of what use and what value our debates and discussions in this Council will be. Of course, the Government after considering the report will put down in the budget that is coming on "demands," and at that stage, it will be for us to say "Aye" or "No" to those demands. Where and when we shall find that the recommendations of the Retrenchment Committee are helpful to us and are acceptable to us, we will accept the recommendations, if the budget has been framed in accordance with them; otherwise we may reject or cut out the demands in the budget.

As far, at any rate as the "transferred" departments are concerned, it strikes me that Maulvi A. K. Fazl-ul Haq has been very vehement in denouncing the recommendations of the Committee; and as a separate day is going to be fixed, or at any rate has been proposed to be fixed, for the discussion of the matter, I do not think that the other side of the question need be discussed to-day. But it should not be thought

that my friend, Maulvi A. K. Fazl-ul Haq, scores a point by vehemently attacking the recommendations of the Committee which have been made after deliberate consideration.

Babu Indu Bhushan Dutta has very ably referred to the omission of the Committee to publish the evidence and the memoranda, which were submitted to them. If they were annexed to the report, they would have added weight and dignity to it, because that would have shown what so many of our public men as well as the departmental heads of Government thought about the question of retrenchment. I beg to submit that on a question which concerns the interests of the public so vitally, the evidence should be made public, and I also think that there is still time for Government to do so. If this is done, the public will not be able to say that they are the recommendations of a few people—A, B, C, D, etc.—who constituted the Retrenchment Committee, but they would know that they were the recommendations of heads of departments and of public men who were sufficiently acquainted with "facts." No one could say that the recommendations were not satisfactory because the personnel of the Committee was not to their liking, and take exception to them; on the contrary, they were based on the evidence of heads of departments or memoranda submitted by them. Before a formal discussion on the report takes place in this House, we hope to see the evidence printed and published. I do not know, however, if it will still be treated as confidential, and if my suggestions will at all be accepted, but I am confident, Sir, that the publication will add greatly to the weight of the report.

I may submit, Sir, that Maulvi A. K. Fazl-ul Haq should not have had the boldness to declare that the mere retention of the posts of inspectors for Muhammadan education was very necessary in the interests of Muhammadan education.

Kumar SHIB SHEKHARESWAR RAY: I am not prepared to discuss the details of the report to-day. I will only support the resolution as its plain English meaning seems to indicate, viz., that a day be set apart for the discussion of the report. I cannot even find fault with the report, as has been done by the previous speakers. It is a unique event in the annals of our political history that a report of such far-reaching consequences has received the unanimous support of men like Mr. Mallik and Sir Rajendra Nath Mukharji on the one hand and Sir Campbell Rhodes and Mr. Spry on the other. This fact is sufficient for me to support the report. We have cried ourselves hoarse over retrenchment; but we ourselves seldom pointed out definitely the lines on which action could be taken. Now, Sir, when a body of competent men have come forward with definite suggestions, I think it most ungracious on our part—because we happen to represent special interests or a special class of interests—to characterize the report as mischievous, monstrous, and absurd. I do not know what could be more mischievous,

monstrous, and absurd than this frame of mind of any member of this Council. For myself, I welcome the report and offer my gratitude, my sincerest gratitude, to the members of the Committee for the promptness and thoroughness with which they have prepared their report. Mr. Mallik has himself said that the members of the Committee are not infallible. It is sufficient to convince me of their sincerity. We must do one of two things—either pass the official demands and sanction Taxation Bills whenever they are made, and go on in the old way securing favours for our sons and sons-in-law, or always oppose Taxation Bills and the extravagance of the Government and support retrenchments in whatever shape they are possible. I do not believe in opposing the Government only as a sort of pastime and to secure fame. If I oppose extravagance, I mean it sincerely and seriously, and I am even prepared to suffer, if need be, to put a stop to extravagance. Surely, I cannot oppose retrenchment merely because it affects my near and dear ones.

Dr. PRAMATHA NATH BANERJEA: The resolution under consideration demands that a full discussion of the report of the Bengal Retrenchment Committee should take place in the Council before any of its recommendations are given effect to. Sir, to my mind nothing can be more reasonable than this demand. We all want retrenchment, but retrenchment should be in the proper directions and on proper lines. Therefore, I submit that this Council should, without further debate, give its unanimous support to this resolution.

Professor S. C. MUKHERJI: I had no intention of making any observation this afternoon, but after hearing Maulvi A. K. Fazl-ul Haq, I feel that I should be wanting in my duty if I were simply to remain a silent listener. When Maulvi A. K. Fazl-ul Haq, characterized the recommendations of the Retrenchment Committee as mischievous, monstrous, and absurd, I felt certain that there must be something really valuable in the report, because nothing but looking at the question from a discoloured angle of vision could have elicited such an absurd and sweeping assertion. A very cursory glance at the report leaves no doubt that, however much we may differ from some of the recommendations of this Committee, it has gone into the matter with a great deal of care and thoroughness. One chapter alone (Chapter XX), dealing with the very important question of devolution, shows that the consideration of a difficult and delicate problem has been taken in hand with a great deal of considered judgment. It is useless to say that things have been done in a thoughtless fashion. For the last two years during the budget discussion we have cried ourselves hoarse and demanded retrenchment in every department and in every possible way; and when the Government was obliged to appoint a Retrenchment Committee to go into the matter, to discard their recommendations, to ignore them, and to set them at naught by simply saying that they are mischievous, monstrous, and absurd shows an utter lack of judgment and discretion.

I am very grateful to Babu Indu Bhushan Dutta for bringing this resolution before the House, asking that a day be set apart for a full-dress debate on this very important matter, so that the Government may have the considered judgment of this Council.

Babu NIRODE BEHARY MULLICK: I might begin by joining hands with Mr. Indu Bhushan Dutta and Kumar Shib Shekhareswar Ray and others in the request that a day be set apart for a full discussion of this very important question. Coming to the report itself, I may say that, taking the report as a whole, it is a splendid document. But it appears to me that difficulties will begin when some recommendations are accepted and some rejected. I am not now in a position to go into the details. I have not yet read the book, but I have seen a summary of the report in the papers. One thing, however, is forgotten by members of this Council. The situation is a situation of choosing between two alternatives, viz., either we must have fresh taxation, or we must retrench; either we must impose further taxes on the poor people of Bengal, who have already been overburdened with taxes, or we must have some posts abolished. I would commend this aspect of the question to the consideration of the members of the Council, but I am now not in a position to go into further details.

Khan Bahadur Maulvi WASIMUDDIN AHMED: The resolution before the House is that a day should be set apart for the discussion of the report of the Retrenchment Committee. It would be well if the members of the Council reserved their remarks for that day, but it so happened that some of the members, including the mover himself, have taken to dealing with the report, and others have also followed him, passing remarks according to their own choice. Almost all the members have erred in this direction and passed some unfavourable remarks and criticisms upon the recommendations in the report in as bitter a way as possible. I do not like to go into details, but I simply say that the recommendations are conceived in a manner which justifies most of the remarks made by Maulvi A. K. Fazl-ul Haq.

That the recommendations will have an injurious effect upon the Muhammadan community there cannot be any doubt. You know very well that at the beginning of the British administration in India the Muhammadans fought shy of English education. They did not avail themselves of the large amount of money which the Government was spending for the spread of English education. It is only in recent years that the Muhammadans have taken to English education; is it desirable that at the very moment when they have come into the field they should be denied the benefits which have long been enjoyed by other communities in regard to education?

In this province, there are more than 55 per cent. Muhammadans, and it is they who constitute the majority of the taxpayers. The rate

of interest, as is well known to us, was very high here, being as high as 75 per cent. or cent. per cent., but since the introduction of the Co-operative Department the rate of interest has been lowered, and if the Co-operative Department did not do any good, it has at least done this yeoman's service, that it has lowered the rate of interest, and this is the only department which can bring salvation to the poor cultivators of this country. Those who are rich lend out their money to the poor folk, extort a high interest from month to month and from year to year, and lead a happy and merry life. But who cares for the poor raiyats, who are practically toiling day and night to earn a handful of grain for their sustenance, and who are in the clutches of their mahajans? It is the Co-operative Department, which has, to a great extent, delivered them from the grasp of the money-lenders. Besides, if the Co-operative Department can secure a lessening in the rate of interest, I am sure that people having money will look to some other field to invest their money in, as, for instance, industries and other pursuits.

Take the Agriculture Department. What is the recommendation of the Retrenchment Committee with regard to demonstration? Whereas last year we passed a resolution for an increase in the number of demonstrators, the Committee have recommended a reduction. Without demonstrators, what could the Department of Agriculture do? Who would demonstrate the qualities of a particular seed? Who would demonstrate for what particular seed a particular land was suitable? Or who would conduct propaganda work or spread agricultural knowledge among the cultivators? Obviously demonstrators are required for these functions; we wanted bread, and you gave us stone.

With regard to sanitation and other departments, we may not be unanimous as to the utility of the health officers and other employed by them; but one thing cannot be denied, that they are doing useful work in combating the ravages of malaria, cholera, and other fell diseases to which hundreds and thousands of our countrymen fall victims. I cannot think that such a department should be abolished and people should be left to shift for themselves. When the state of education is so very low among us—out of a hundred, ninety-five are illiterate—I think we must go from door to door and carry on propaganda work among them on subjects of health and hygiene, and for that purpose we will require the agencies of various Government departments.

The Committee say that the Co-operative Department is invaluable, but in the next breath they propose the abolition of the inspectors. What for? Because they think that it is necessary that the people should make their own arrangements. They forget that in this country the activities of the ordinary people are looked upon with a different eye than in the case of Government activities. People look up to Government as the beneficient authority in all cases, and they look to their

supervision as a sort of guarantee for their investment. The Committee say that even if Government supervision is withdrawn, depositors will come forward with their money to the banks. I do not believe that they will. No sooner are the inspectors taken away, than people will begin to suspect the success of the department. The Committee failed to notice one very important thing—the fundamental difference between a co-operative bank and an ordinary bank. Of course there are many banks, many private banks, which are quite sufficient for purposes of lending money; but they lend money on the security of valuable immoveable properties which, in the case of the poor cultivators, are absent; but what do the co-operative banks do? They simply lend out on personal credit. Constant supervision on these banks must be maintained by the Co-operative Department; otherwise the people will feel that there is no guarantee for their money. Central banks will not lend out to the cultivators; the cultivators will have no credit and possibly their dues will remain unrealized.

I do not like to go further into the report at present.

I agree that it is desirable that a day should be set apart to deal with the recommendations of the Committee and submit definite recommendations as to what part of the report should be accepted and what part should be rejected.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I beg to support this resolution. The recommendations of the Retrenchment Committee are of so revolutionary a character, that one rubs his eyes to assure himself if he has read aright what he sees in the report before him.

Let us take one instance. Rupees 35 lakhs has been proposed to be reduced from the Education Department. Almost all the Government colleges and zilla schools are proposed to be abolished. Sir, I give clear notice to the Government and to the Council that if these particular proposals—the abolition of Government colleges and schools—are given effect to, and if any substantial reduction is made from the Education grant, I shall resign and take this matter to the vote of the great educated community and they will give a vote which, I know, will not be pleasant to the members of the Retrenchment Committee and the Government, should the latter adopt their recommendation in this direction.

The Committee have proposed to reduce the salaries of judicial officers and also their number. This surely I did not expect from gentlemen of our nationality. Some of these gentlemen added Rs. 60 lakhs a year to our financial obligations by giving additional salaries to the men connected with civil courts—men, who could, as one of the members told me, work without any salaries if necessary!

The Agriculture Department, the Fishery Department, and other departments are proposed to be practically abolished. An attempt was

made last year in this Council to do the same by means of a resolution. I had my part in defeating it and it was defeated by an overwhelming number of votes, and an attempt has again been made now to do so by the Retrenchment Committee; but I hope, Sir, that the House will not accept it.

I am of opinion that a day should be given to us to consider these matters in detail. I am sorry at the present moment I cannot say as to what part of the report we should approve and what part we should not approve. I do hope that Government will give the Council an opportunity of doing so.

Mr. Villiers has, in his respect for great men, omitted to consider that lesser men also may do their duty to their country. Enthusiasm on the part of young men for great men is natural, but, Sir, hero-worship may go too far. Mr. Villiers does not seem to know that all the departments for the public good have been built up by generations of British statesmen and administrators. Now, most of these departments are practically proposed to be abolished. I shall be surprised if any Englishman approves of any such measure.

I must say here that it is the Indian officers, both Hindu and Muhammadans, who will suffer most if these recommendations are accepted. How many members of the Imperial Services will suffer? It is the educated community which will be hardest hit.

Finally, I wish to draw the attention of the Council to one fact, namely, that the Committee have proposed a reduction in the number of Ministers instead of proposing a reduction in their salary. They made a similar attempt in this Council, and, though defeated by an overwhelming vote, they have done the same thing here. Further comment is unnecessary. When the day comes they will be properly criticized. A great majority of the recommendations will have to go, but we must have a say in the matter.

Babu KISHORI MOHAN CHAUDHURI: I do not propose to take up much time of the Council by discussing the merits and demerits of the Retrenchment Committee's report at this stage. My only request is that the proposal to set apart a day for the discussion of the report by the Council be accepted. Every member of this House is fully aware that the recommendations of the Retrenchment Committee have been agitating the public mind most, but we, the representatives of the people in this Council, have not performed our duty in this respect. It is, therefore, only proper that we should be given an opportunity of expressing our opinion on these recommendations. The proposals of the Committee are very wide and far-reaching, and a drastic retrenchment has been proposed. There is no doubt that retrenchment is necessary, but we should see whether we should accept the Committee's recommendations in their entirety, or take exception to them, or whether we should make

further suggestions on the subject. In that view, I think that Government should not oppose the resolution; let us, without a single dissentient voice, appeal to the proper authorities, to fix a date on which we might express our views upon the recommendations of the Committee. This course was adopted when the Reforms scheme was introduced, and, as far as I remember, the Council resolved itself into a committee of non-official members and they were allowed to express their opinion on the whole subject. Similarly, the Retrenchment Committee's report is, to my mind, another Reforms scheme. There are very important proposals in it. Take, for instance, the devolution of financial powers; I will not say now in what respect it is good or in what respect it is dangerous, but I can only say this, that it is a very important question and upon that it is essential that the Council should express its views. There are many recommendations of that sort, upon which we should be allowed to express our views.

With these words, I support the resolution of my friend, Babu Indu Bhushan Dutta.

Maulvi EKRAMUL HUQ: I rise to support the resolution before the House. My friend, Kumar Shib Shekhareswar Ray, has praised the Retrenchment Committee for all they have done. I do the same, and acknowledge the great pains they have taken; but I find that some of their conclusions placed before the Council are wrong and unwarranted. I am afraid that while in some of their recommendations the Retrenchment Committee are very timid, they are very, very bold and very hard so far as the question of Muhammadan education is concerned. It is the feeling of my community that if their recommendations are accepted, it will spell disaster to the progress of the Muhammadan community. We have advanced in English education, but still we are far behind the other communities. The cuts proposed by the Retrenchment Committee are opposed to our interests, and will not allow the Muhammadan community to go forward, but will retard their progress to a very great extent. I am afraid the composition of the Committee is responsible to the greatest possible extent for this. The Government was not pleased to see its way to have some one on the Committee who could voice the sentiments of the Muhammadan community, and for this the Committee is not to blame; it is the Government, which, perhaps, thinks that the Muhammadan community does not exist. Now, in order to sift all these matters, it seems necessary that a day should be set apart for considering the recommendations of the Committee, and so I formally support the resolution of my friend, Babu Indu Bhushan Dutta.

Mr. RAZAUR RAHMAN KHAN: It was owing to the demands of this Council that a Retrenchment Committee was appointed, and its

recommendations are now before us. All I can say is that the Committee have tried their best honestly and industriously to go through the evidence put before them, and to give us recommendations, working on which, it is hoped, we shall be able to make an effective retrenchment. But at the same time the report of the Committee is so striking and in all its bearings it goes back on the whole policy which has been adopted, that it is necessary that a day should be set apart to discuss the principles involved, if the recommendations of the Committee are to be accepted.

There is the question of the Indianization of the Services. I do not think the Committee had much time to go thoroughly into this question, but so far as it has gone, if their recommendations are accepted, in future we shall have to accept the provincialization of the Services. On all these accounts, and also as regards the devolution of the powers of Government to local bodies, it is necessary that a day should be set apart for the discussion of these subjects. Then, as regards the question of the dismissal of a large number of men from the Services, if the Reforms are going to be a success, if they are not going to be a source of discontent in the country, we must also consider the cases of the men who are going to be dismissed. When they entered the Services, they did so with implicit confidence that those Services would allow them facilities to go on to the end of their career, and if we are going to disturb that confidence, we must try to understand the bearing that this will have on the country.

Then, as regards the question of Muhammadan representation; this has been put with some force by my friend, Maulvi A. K. Fazl-ul Haq; this has been very badly treated in the report, I do not say with my friend, Maulvi A. K. Fazl-ul Haq, "mischievously and wantonly," but very badly. I think if there had been a Muhammadan representative on the Committee, these most preposterous resolutions which have been put in the report would not have found a place there. If effect has to be given to the recommendations, it is the Muhammadans who will suffer most; therefore I think that a day should be set apart for the discussion of this report, and, on behalf of the Muhammadan community, I beg to submit that they think that the recommendations will affect them very badly. Their case should be specially considered and the strength of Muhammadans in the various Services should not in any way be lessened, if the recommendations are given effect to.

With these words, I support the resolution before the House.

Maulvi SHAH ABDUR RAUF: As regards these recommendations, I cannot but make some remarks. The report, on the whole, goes to meet the demand of the public, for which we have been crying ever since the inauguration of the Reformed Council. The report has shown us the

way how to retrench the expenditure of Government, but at the same time I cannot but remark that with the idea of retrenching the expenditure of Government, it has gone too far in certain respects, and I, as a Muhammadan, wish to point out to you the point relating particularly to Muhammadan education. My friend, Khan Bahadur Maulvi Wasimuddin Ahmed, has told us this afternoon that the Muhammadans have just crossed the threshold of English education, and are trying to educate their sons and daughters, and at this moment the Retrenchment Committee, to our great surprise, have recommended that the whole educational problem should be transferred to the control of local bodies. Those who are acquainted with local bodies know how they are working. In fact, had it not been for the help of Government, often these bodies would not have been able to work at all. So I say in this Retrenchment Committee's report, apart from the question of Muhammadan education, there are certain problems which require the closest scrutiny before they are accepted by Government. Therefore, I heartily support the resolution of my friend, Babu Indu Bhushan Dutta, to set apart a day for the discussion of the Retrenchment Committee's report in this Council.

SHAH SYED EMDADUL HAQ delivered his speech in Bengali, a translation of which is as follows:—

As every member of the Council is more or less saying something on the matter of the Retrenchment Committee's report, I feel bound to follow in their footsteps in this direction. It is very easy to say, but it is difficult to perform. It is very easy to cast aspersions on others, but as the country is now on the verge of bankruptcy, if we want to retrench expenditure in unnecessary directions, the blame is ours. And we do not find any other way out of this evil. Just as a surgeon wants to save his patient from being septic by operating a part of the body which has become poisoned, the report of the Retrenchment Committee in like manner seeks to save the country from insolvency by cutting down certain expenditure under certain heads which have become obnoxious. I do not for one single moment mean to say that the signatories of the Committee's report have been actuated by any sordid motive. There is a saying: "To err is human." If it be so, how on earth can we say that the report is not free from misapprehension? Sir, it was suggested in this House some time ago to form a stronger and larger committee. In particular, I would point out that not a single Muhammadan sat on the Committee. My friend, Maulvi A. K. Fazl-ul Haq, particularly dwelt on this topic, and I also supported him when the matter was discussed, but it was deemed unnecessary to raise any racial question. As a matter of fact, to my mind the appointment of a Muhammadan was essential, and the Committee ought to have had a Muhammadan. Much of these difficulties which have arisen at the present moment would have been obviated if such a proposal was accepted. I do not like to take up the

time of the Council by entering into details, but I might say in conclusion that the interference with the Calcutta Madrassah is highly undesirable. The Madrassah is a very old institution in Calcutta, and was established during the time of Warren Hastings. It has hitherto maintained the dignity and prestige befitting its name, and I do not see why the Committee have laid their axe on such a noble institution. Any way, I think, Sir, it would be fair and equitable if the Retrenchment Committee's report is thoroughly discussed in this Council, and the members are afforded every facility to have their say in matter of such vital importance. I, therefore, support the resolution of Babu Indu Bhushan Dutta with all the earnestness I can command.

Maulvi MUHAMMED MADASSUR HUSSAIN: The recommendations of the Retrenchment Committee are so revolutionary in character, so drastic in nature, so far-reaching in their effects, that it is the duty of the Council properly to consider their effect upon the community at large, and unless this is done, I think this Council will fail to exercise its functions. This resolution simply wants a day to be set apart for their discussion in the Council. In view of the importance of the subject I would think that a day is nothing. It will not at all be sufficient to discuss such an important subject in a day. It will be simply useless to set apart one day for a subject of such far-reaching character. This is not the time for discussing the various recommendations. We may reserve our remarks for future discussion. However, I may only remark that if the recommendations be accepted, it will be our duty to abolish all the Ministries.

With these few words, I beg to support the resolution.

The Hon'ble Mr. J. DONALD: It seems to me that there is some misaprehension as to the effect of your ruling with reference to this resolution. As I understand it, the only way in which a discussion on the report of the Retrenchment Committee is permissible would be in connection with, and forming part of, the general discussion of the budget, and the resolution of Babu Indu Bhushan Dutta is therefore to the effect that the discussion of the budget should be before the middle of February; no other course is admissible, and I understand, Sir, that is your ruling.

Mr. PRESIDENT: That is the only course; as Mr. Donald will see, the phraseology of Mr. Dutta's resolution is to set apart a day. As I have already pointed out, the only way to effect that, if it is accepted, would be to ask His Excellency to put forward the dates for the discussion of the budget; that is the only way to give effect to it.

The Hon'ble Mr. J. DONALD: Three days have been fixed for the discussion of the budget, the 26th, 27th and 28th. If this resolution is accepted, His Excellency would have to be asked to alter these dates and

to fix some other dates previous to the middle of February for the discussion of the budget. That would mean that the budget would have to be presented at the end of January or the beginning of February. But this is absolutely impossible. It is physically impossible. The Finance Department has to wait till certain dates to obtain figures of income and expenditure in the current year, and for the preparation of the figures for the next year, and until these figures are obtained, the budget can not be presented to the Council. Apart from this, we could not possibly be ready with the budget before the middle of February. It has to be printed, the financial statement has to be prepared and printed, and it is physically impossible to do this before the middle of February.

We cannot have the budget ready before the 19th February, the day already fixed for the presentation of the budget, and allowing the necessary interval, the discussion cannot come on before the days fixed, viz., the 26th, 27th and 28th February. Within these three days members will have an opportunity of giving full vent to their views on the proposals of the Committee. It is therefore impossible for us to accept the resolution. The budget discussion cannot be advanced to any earlier date.

Members will perhaps be interested to know what is being done with the report. We got it only the other day and it is receiving our careful and urgent consideration. As Babu Indu Bhushan Dutta has stated, it has created much excitement, it has been abused in parts, it has been praised in parts, and you must recognize that Government must take some time before they can come to a decision on the various recommendations. It will take some time to carry out many of the recommendations even if they are accepted. For example, where posts will be abolished we may not be able to discharge the officers at once. In other matters, the local Government may not themselves be competent to pass final orders. The orders of the Government of India or the Secretary of State may be required. It will take some time before effect can be given to many of the recommendations. I can assure the House that the report is not being shelved. We in the Finance Department will see to it that it is not shelved. Every recommendation is being examined very carefully. Each recommendation will be decided upon by Government, and this Council may rest assured that as each recommendation is accepted in whole or in part by Government, the Finance Department will press for immediate effect being given to that particular recommendation without waiting for decisions on other recommendations, so that savings may be effected as soon as possible in every possible direction.

That is the position; we must have time to consider this report, and we cannot at the moment say how far or to what extent we may or may not accept these recommendations. There will be ample opportunity for discussing these recommendations at the time the budget comes up for discussion on the 26th, 27th and 28th. It is physically impossible

for us to alter those dates and to fix another day for the discussion of the report, and I must therefore oppose the resolution.

Babu INDU BHUSHAN DUTTA: I am surprised to hear Mr. Donald's remark that it is physically impossible to have a discussion on this report before the dates fixed for the discussion of the budget. I do not see how; if the budget is presented on the 19th February, surely when the Council will discuss the Calcutta Municipal Bill and other matters, His Excellency might be approached to fix either the 13th or 14th of February for the discussion of this important matter.

There is absolutely no reason why this matter should not be discussed before the budget is presented on the 19th before the Council.

Mr. PRESIDENT: It so happens, as I said some time ago, that certain dates are allotted by statute upon which the Council is at liberty to discuss the budget as a whole or any question of principle involved in the budget. The report of the Retrenchment Committee is obviously a question of principle involved in the budget, and therefore it can only be taken up in the course of the general discussion of the budget. What the member is endeavouring to do is to persuade the Government to ask His Excellency to put forward the days for the discussion of the budget to an earlier date in the middle of February. The Finance Member has said that that cannot be done, and that is an end of the matter.

Babu INDU BHUSHAN DUTTA: With all due deference to your ruling, Sir, it appears that it is rather unfortunate that this cannot be done——

Mr. PRESIDENT: There is nothing unfortunate in that, Indu Babu; you have had a full opportunity for discussing the report, and you will obtain a further opportunity of discussing it on the three days fixed for the discussion of the budget. Therefore, instead of one opportunity, you are having another, that is to-day.

Babu INDU BHUSHAN DUTTA: From the nature of the discussion that has taken place this afternoon, I must confess that this discussion has not been of much value at all. From the wording of my resolution, it will appear that we have not come here to discuss the recommendations to-day; therefore I do not attach any real importance to to-day's discussion; we want that in addition to the discussion of the budget for three days, we should have another day set apart for the discussion of the report, and I hope it will be possible for Government to accede to my request. In that view, I beg to press my resolution for the acceptance of the House.

The motion was then put and agreed to.

Babu SURENDRA NATH MALLIK: May I rise to a point of order? I want to know whether the "Ayes" will really have it.

Mr. PRESIDENT: Whether effect will be given to this resolution does not rest with me, Mr. Mallik; but the fact remains that the "Ayes" have it, so far as the acceptance of the resolution by the House is concerned.

Elections to district boards, etc.

Babu NIRODE BEHARY MULLICK: I move that this Council recommends to the Government that in elections to district boards, local boards, union boards, and municipalities, the system of direct election by ballot be immediately introduced.

My resolution is a very simple one, and there is not much to be said. To my mind, the system of election which is not direct and by ballot is no election at all. I need not elaborate the point. The principle underlying my resolution has been extended to municipalities, and I am sure it will be extended to elections to other local bodies as well, such as district boards, local boards, and union boards. What I press for is this, that the principle be embodied in the short Act that is going to be introduced.

With these few words, I move my resolution for the acceptance of the House.

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT (Mr. S. W. Goode): The resolution has not been argued at any great length, and I need only say that while Government recognize that some change in the present system of election to local bodies may soon be necessary, we are not satisfied that it is opportune at the present moment to introduce so wide a change.

Babu Nirode Behary Mullick is, I think, aware that Government are at present preparing a small Bill for the amendment of the Local Self-Government Act, and the question of including in that Bill some changes in connection with the electoral system has been duly considered, but Government are of opinion that it would not be advisable at the present moment in what is a piece of emergent legislation to attempt to introduce so important a change of principle. The substitution of a system of direct election by ballot for the present system of election to the district board would involve the abolition of the district board, and although the Minister in charge of Local Self-Government is personally of opinion that the time will shortly come when local bodies must be abolished, he is not prepared to take up this question immediately. I can, therefore, merely reply that

while Government realize that there is much to be said for th present proposal, we are unable to accept it now since it cannot b given effect to without new legislation, and since we are not prepare in connection with a short emergent Bill to make important const tutional changes. I must, therefore, on behalf of Government, oppos this resolution.

Babu NIRODE BEHARY MULLICK: The reply that has bee given to the proposal of my resolution is so vague that it is nc possible for me to add anything to what I have already suggested I would like the Government to realize the importance of the syster of direct election to district boards, local boards, and union board by ballot. I know that this change will involve a question of prin ciple, but then, if we have any respect for representative govern ment, we cannot but accept the system. The question underlying m resolution was this: are we or are we not in favour of making a rea representative institution in this land? That is the question a issue, and I hope that at some future date Government will tak this into consideration.

I do not wish to press this resolution now, but I would like th Government to devote some thought and consideration on this parti cular question. With these words, I withdraw the resolution.

The motion was then, by leave of the Council, withdrawn.

Pay of ministerial officers.

Maulvi A. K. FAZL-UL HAQ: I move that this Council recom mends to the Government that the rules for the revision of salaries o ministerial officers based on Government Resolution No. 10278F., date the 17th July, 1922, as interpreted by subsequent resolution, be recon sidered, so as to remove the hardships that have arisen from the appli cation of the said rules in actual practice.

The resolution which stands in my name concerns the application of certain principles which have been adopted by Government in pur suance of the recommendations of the committee appointed to make recommendations for the revision of pay of the ministerial officers. I do not wish to go fully into the details, because I would like to have the advantage of what Government has got to say in this matter. As a matter of practical working, I have found that an officer who has put in, say, about 20 years' service has been practically put in the same position as an officer with only about eight or nine years' service. This is by reason of the fact that in calculating an officer's place in the cadre a certain number of years of service has been cut down and he begins practically at a certain period in the service as if the previous service of the officer concerned has been wiped out. Then again,

according to rules a certain officer cannot go beyond the maximum of Rs. 84. This has caused a great deal of hardships to certain officers, and these officers, with perhaps 15 or 16 years' service, will not be able to reach the maximum. I do not know what Government propose to do in this matter, but in my opinion the operation of this rule should be reconsidered, so that cases of real hardship may not occur.

Babu INDU BHUSHAN DUTTA: I move that this Council recommends to the Government that the following restrictions contained in the Government Resolutions No. 10278F., dated the 17th July, 1922, No. 10646F., dated the 27th July, 1922, and No. 12196F., dated the 25th August, 1922, regarding the revision of pay of the ministerial officers of Bengal, be withdrawn to the following extent, viz., withdrawal of—

(*a*) the percentage limitations imposed on the revised pay (*vide* paragraph 5 (*b*) of Resolution No. 10278F., dated the 17th July, 1922);

(*b*) the instruction that the incremental period will be reckoned from the 1st January, 1922, in the case of fixed pay (*vide* paragraph 3 of Resolution No. 12196F., dated the 25th August, 1922); and

(*c*) the interpretation of the term "corresponding post" to the effect that the posts of similar status must be in the same office (*vide* paragraph 5 of the above resolution).

It is no new matter that I place before the Council. Last year, the Council was asked by the Government to make recommendations on the report of the committee that had been appointed to consider the revision of pay of the ministerial establishment of Bengal. This Council adopted the minority report of my friend, Rai Mahendra Chandra Mitra Bahadur. The Government, instead of accepting the minority report, accepted the majority report signed by two I.C.S. officers. The Hon'ble Mr. Kerr (now Sir John Kerr) gave some assurance about the conditions of service of those officers, who were adversely affected by the majority report. Now, unfortunately, after the recommendation of the Government of India, the Government of Bengal have made some further restrictions and the effect has been disastrous to a large number of ministerial officers. The resolution that I intend to bring forward before this Council is to minimize the difficulties that stand in the way of these poorly paid ministerial officers. Of course, I apprehend that the first objection against my resolution will be our old friend, the financial difficulty. But, Sir, as Mr. Langford James said, the other day, I think we can overdo the financial bogey. When ministerial officers have to struggle for the bare necessities of life, it is cruelty to raise the financial bugbear. There is no financial question in the case of the higher Services. The Retrenchment Committee dare not touch the Imperial

Services, and we are going to have a Royal Commission to raise the pay of the Imperial Services—"Pour oil on oily heads," as the Bengali proverb has it.

I will now deal with the three points I have raised in my resolution serially.

(1) Percentage limitation. The majority report of the Salaries Committee recommended that in the case of upper division clerks only the immediate increase should be limited to 50 per cent. of the previous pay. No limitation was proposed for the lower division clerks (*vide* paragraph 15, page 92, of the report). The question of a 50 per cent. limitation in the case of upper division clerks was discussed in this Council in the September session of 1921. The Hon'ble Mr. Kerr in his speech observed: "We propose to accept the proposals which have been made in several of the resolutions that we should not limit the immediate increase to 50 per cent. of the previous pay. This limitation is a comparatively recent innovation introduced by the Government of India in the case of certain reorganization, but it works unevenly and causes a good deal of heart-burning and dissatisfaction. As it does not work well, we do not propose to adopt it in the case of ministerial officers in Bengal." Further on, he said that "the fourth proposal is, regarding the limitation of immediate increases of pay to 50 per cent. Government is prepared to accept the resolution, as we find that the limitation works unevenly and is causing considerable trouble and dissatisfaction in other services" (*vide* Council Proceedings, Volume IV, pages 499 and 581, of the September session, 1921). The Government of Bengal in their Resolution No. 10278F., dated the 17th July, 1922, sanctioning the revision of pay of the ministerial officers of Bengal, have prescribed 40, 30 and 20 per cent. limitations in case of all clerks [*vide* paragraph 5 (*h*)]. This limitation has taken the ministerial officers unawares and has caused extreme hardship to them. It is really surprising how the Government could go back on their own pledge. It is understood that the Government of India have suggested such limitations, but it was discretionary with the Government of Bengal to accept the suggestion or not. Provision was made in the current year's budget to give full effect to the recommendations of the majority report. It is stated in paragraph 2 of the resolution referred to above, that the Governor in Council has been unable, especially in view of the present financial position of the province, to adopt the minority report, as recommended by the Legislative Council, or to accept any scheme of revision more costly than that outlined in the majority report. It is rather a mystery as to why even the recommendations of the majority report have been curtailed in such an arbitrary manner, as the question of finance did not stand in the way, so far as the recommendations of the majority report are concerned. It is an irony of fate that where no such restriction was imposed in the case of the higher Services whose

pay has been abnormally increased, with retrospective effect into the bargain, it has been thought fit to impose the restriction in the case of poor clerks on financial grounds. This limitation has taken away the advantage of the time-scale of pay and hard hit the clerks who are most needy and who form the bulk of the ministerial establishment. It has been well established that the living wage of a ministerial officer is much higher than the minimum sanctioned by Government for him. This has, however, been explained by Government by referring to the advantage of time-scale pay. The restriction, however has deprived the poor clerks of the advantage.

Besides, it has caused great anomaly, in that a clerk serving a long time will have to remain content with a pay equal to that of a clerk of very short service. This is an undesirable hardship which will continue throughout the service of the present incumbent, unless it is withdrawn.

Sir, the injustice does not end here.

(2) Incremental period.—The Government of Bengal in a subsequent resolution, No. 12196F., dated the 25th August, 1922, have put another restriction to the recommendation of the majority report. Except in the case of a ministerial officer who is already on a progressive or time-scale pay "the incremental period in all other cases will be reckoned from the 1st January, 1922" (*vide* paragraph 3 of the resolution). This is a novel innovation of the Finance Department. Thanks to its author! In part 15, clause (7), at page 13 of the majority report, it is distinctly stated that "in calculating the date from which future increments should accrue, the date of entering the new scales will not be taken into consideration." It has been further illustrated at the bottom of that paragraph at page 14 that "if an officer completes 20 years' service on 1st December, 1920, and enters the new scale on the 1st April, 1921, it is necessary to decide whether the next increment should fall due on 1st December, 1921, or 1st April, 1922. We consider it should fall due on the 1st December, 1921." This procedure has been followed in all other services. It is difficult to understand why the recommendations of the Committee have been flouted in this arbitrary manner. In most cases, the poor clerks had to refund some portion of the few rupees they had drawn on the authority of the first order of Government. The incremental period has been reckoned in all other services from the date of entry in the service.

But, Sir, there is still another axe which has befallen the poor clerks.

(3) Interpretation of "corresponding post."—In paragraph 5 of Government Resolution No. 12196F., dated the 25th August, 1922, it has been ruled that "a post is said to correspond to another when it is of similar status in the same office. In no circumstances can a post in one office be held to correspond to a post in another office." The

blow has been especially directed against the clerks of the Secretariat and heads of departments of the late Eastern Bengal and Assam Government and also against those who had the misfortune of being transferred from one office to another in the interest of the public service. The invidious distinction has caused great heart-burning amongst the unfortunate clerks who had the misfortune of being transferred from one office to another. A clerk has to perform almost similar duties in all offices. It might as well be said that a member of the Indian Civil Service or the Bengal Civil Service or of any other higher service who held a post in one district and was transferred to another district should not have been allowed to count his past services, as the posts did not correspond to one another. This ruling for the clerks is certainly ungenerous and unjust. The framer of the ruling must be thanked for his sense of fine logic! In sanctioning the revision of pay as recommended in the majority report, the Government has put a sting to it. In paragraph 4 of Government Resolution No. 10278F., dated the 17th July, 1922, it has been stated that "in the event of a material reduction in the cost of living, the rates of pay in force will come under further consideration and will be liable to such reduction as may appear necessary in the interest of economical administration." Need I say that no such condition was laid down in sanctioning the revision of pay of any other service? Should there be a material reduction in the cost of living, would the increment, given to the higher services, be also reduced, pray? But the question has not arisen now, and I need not dwell on the point any further at present.

I have pointed out above how unjust and ungenerous have been the restrictions and ruling referred to in my resolution, and hope that the Government will see its way to accept my motion.

With these words, I commend my resolution to the acceptance of the House.

Here the Council adjourned for 15 minutes.

Adjournment.

After the adjournment the Council met at 6 P.M., but as there was no quorum, it was adjourned till 3 P.M., on Tuesday, the 30th January, 1923, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 30th January 1923, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, two Hon'ble Ministers (the Hon'ble Sir Surendra Nath Banerjea being absent), and 104 nominated and elected members.

Starred Questions

(to which oral answers were given).

Protective works of Pabna town.

***XXXVIII. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state—

(*i*) what has been the extent of the damage to the protective works of Pabna town during the last flood season;

(*ii*) has the main river abandoned the Pabna bank this year;

(*iii*) whether it has formed for itself a new channel on the south bank as foreshadowed in the speech of the Hon'ble the Minister on the resolution moved in this Council by Maulvi Shah Abdur Rauf on the 22nd February last; and

(*iv*) whether there are signs of the silting up of the channel of the river on the Pabna side?

(*b*) What steps are proposed to be taken by the Public Works Department to make good the damage already done to these works and what amount will be provided under "Repairs" in the current and next year's budgets?

(*c*) Have any orders been issued to the local officers to carry out necessary repairs?

(*d*) If so, what orders have been issued and what arrangements are being made for the purpose?

(*e*) Will the revetment be completely restored to its original state this year? If not, why not?

(*f*) Are the Government considering the desirability of undertaking extensions by at least a few hundred feet down the stream from the lower end and towards the east during the current year?

(*g*) Is it a fact that some of the public buildings opposite the eastern extremity of the revetment lie exposed to the fury of the river?

(*h*) If so, what steps are the Government taking to counteract this?

(*i*) Are the Government considering the desirability of making provision in the next year's budget for undertaking the extensions of the protective works below the lower end?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur: (*a*) (*i*) The damage has been considerable between the chainages of 36·5 and 45 and between 61 and 62 where the sausages have slipped down.

(*ii*) No.

(*iii*) This cannot be answered until the survey of the river bed is completed in January.

(*iv*) Yes, in front of the steamer ghat.

(*b*) The estimate for repairing the damage is under preparation. Rs. 12,000 is likely to be spent this year and a provisional demand of Rs. 20,000 has been made for 1923-24.

(*c*) The estimate is under preparation and the orders to carry out the repairs will be issued by the Superintending Engineer when the estimate is sanctioned.

(*d*) The question does not arise.

(*e*) It will be repaired to the extent that the Superintending Engineer may think necessary for the revetment to serve its purpose.

(*f*) The member is referred to the reply given to question No. IV, part (*g*), in the July Session of the Council, 1922.

(*g*) No.

(*h*) The question does not arise.

(*i*) No. The member is referred to the speech in reply to a resolution moved by Maulvi Shah Abdur Rauf at a meeting of this Council on 22nd February, 1922, in which the attitude of Government regarding the extension of this revetment has been indicated.

Grand Trunk Road from Howrah to Burdwan.

***XXXIX. Rai LALIT MOHAN SINGH ROY Bahadur:** (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works aware that the Grand Trunk Road from Howrah to Burdwan is in such a condition as to need thorough repairs?

(*b*) Are the Government considering the desirability of passing necessary orders for taking up the repairing works at once and of providing a sum in the next year's budget to meet the cost?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) Government is informed that the road is in fair condition except for a few miles which require repairs.

(*b*) Repairs to the metalled surface can only be taken up during the rains. Such funds as may be necessary to maintain the road in fair condition will be provided in next year's budget, bearing in mind the state of provincial finances.

Mr. F. E. E. VILLIERS: Will the Government be pleased to state why, considering the disgraceful state of the Grand Trunk Road, so little repairing work was undertaken during the last rains instead of waiting for the coming ones?

SECRETARY to GOVERNMENT, PUBLIC WORKS DEPARTMENT (Mr. C. C. Dey): The reply to the question is contained in the last sentence of the answer to (*b*), namely, that the work can only be taken up bearing in mind the state of provincial finances.

Unstarred Questions

(answers to which were laid on the table).

Grant of Rs. 2,50,000 to Calcutta University.

261. Babu AMULYA DHONE ADDY: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state why the sum of Rs. 2,50,000 voted for the Calcutta University to meet part of their deficit was offered by the Government subject to certain conditions whereas no such conditions were laid down by the Council when they voted the grant?

(*b*) What further steps are being taken by the Government in connection with the said grant?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*a*) and (*b*) The member is referred to the reply given to the question put by Shah Syed Emdadul Haq on the same subject at this session.

Agricultural, commercial, and industrial education.

262. Babu AMULYA DHONE ADDY: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what steps it is proposed to take during the next official year for the development of agricultural, commercial, and industrial education in the several districts of Bengal?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): Pending Government's decision on the Retrenchment Committee's recommendations it is impossible to outline the programme of agricultural, commercial, and industrial education for the next official year, but if the policy of Government is not altered and if funds permit, that part of the programme of the current year, which it was impossible to undertake, will be undertaken.

High schools in Bakarganj and Dacca managed by Namasudras and students of backward classes.

263. Babu BHISHMADEV DAS: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the names of primary, middle and high schools in Bakarganj and Dacca managed mainly by the Namasudras;

(*ii*) the amount of grant received by them; and

(*iii*) the number of Namasudra students in those districts?

(*b*) Will the Hon'ble the Minister be pleased to state when the students of backward classes will receive stipends?

(*c*) Will the Hon'ble the Minister be pleased to state whether he has any knowledge that the students of the depressed classes in Madras are exempted from the payment of examination fees?

(*d*) If so, are the Government considering the desirability of allowing similar concessions in this province?

The Hon'ble Mr. P. C. MITTER: (*a*) and (*b*) The question is vague and covers a wide field of inquiry. The information would be difficult to collect and possibly inaccurate when collected. The value of such information as might be collected would not be a reasonable compensation for the labour and expense involved in its collection.

(*c*) I have no official information; moreover the matter is one for the University.

(*d*) Does not arise.

District boards with official chairman.

264. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) the names of the district boards of which there is no non-official chairman at present;

(*ii*) why has not the right of electing a non-official chairman been conferred on these boards as yet; and

(*iii*) whether there is any proposal to confer on district boards or on any of them the right of electing a non-official chairman?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*i*) Darjeeling.

(*ii*) A district board was established for the first time in Darjeeling during the current financial year; and it was decided, following the recommendation of a meeting of representative officials and non-officials interested in the question, that there should be an official chairman for the present.

(*iii*) The question does not arise.

Loans to Pabna municipality and district board for water supply.

265. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) what amount has been allotted to the Pabna municipality and the district board of Pabna for water supply;

(*ii*) did the Pabna municipality and the district board of Pabna apply for such a loan;

(*iii*) if so, when did they apply;

(*iv*) whether it is in the contemplation of the Government to grant loans for water supply to the Pabna municipality or the district board of Pabna either during the year 1922-23 or 1923-24; and

(*v*) whether it is a fact that the Pabna municipality and the district board of Pabna have recently been granted a certain sum of money as loans by the Government?

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT (Mr. S. W. Goode): (*i*) A sum of Rs. 10,000 has been allotted to the Pabna municipality for the cost of an experimental boring in connection with the water-supply scheme. No grant has been made to tha district board.

(*ii*) and (*iii*) No application for a loan has been made.

(*iv*) If applications are received in 1923-24, they will receive due consideration.

(*v*) No.

Flogging in jails.

266. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Jails) be pleased to state the reasons why Government altered its previous policy and decided on removing the ban on flogging in the case of non-co-operation prisoners?

(*b*) What new facts were disclosed by the Superintendent of the Barisal jail which necessitated a change of policy?

(*c*) What was done by the Government to test the accuracy of the reports against the non-co-operation prisoners made by the Superintendent of the Barisal jail?

(*d*) When the power of ordering flogging was taken away from the jail officials, was it not anticipated that they would not be allowed to resort to flogging even in cases where under the regulations flogging would be the suitable punishment?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. H. L. Stephenson): (*a*) to (*d*) The member seems to be under a misapprehension as to the facts regarding the whipping in the Barisal jail which were explained by the Member in charge in his speech in Council on the 28th August, 1922, to which speech the member is referred for the answers to his questions.

Beds and cabins in Calcutta Medical College and Campbell Hospitals.

267. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the number of (*a*) beds, and (*b*) cabins in the Medical College and Campbell Hospitals, respectively;

(*ii*) the number of cottages attached to the Calcutta Medical College Hospital and the daily charge for each cottage and accommodation provided in each of them;

(*iii*) the daily charge for each of the cabins attached to the Calcutta Medical College Hospital and the Campbell Hospital; and

(*iv*) the advantages afforded to the occupiers of cottages and cabins of the Medical College and Campbell Hospitals, respectively?

Mr. S. W. GOODE: (*i*) Medical College Hospitals: (*a*) beds—486; (*b*) cabins—74. Campbell Hospitals: (*a*) beds—730; (*b*) cabins—Nil.

(*ii*) Three, each containing four separate sets of rooms. The charge for the rooms is noted below:—

Rooms for Surgical cases—Summer Rs. 7 per diem; Winter Rs. 6-8-0 per diem.

Rooms for Medical cases—Summer Rs. 6 per diem; Winter Rs. 5-8-0 per diem.

(*iii*) The charges in the case of the Calcutta Medical College Hospitals are as follows:—

Medical College Hospital.

Cabins, European Wards: One fan between two cabins—Summer Rs. 3-8-0 per diem; Winter Rs. 3 per diem.

One fan in a cabin—Summer Rs. 4 per diem; Winter Rs. 3 per diem.

Cabins, Indian Wards—Summer Rs. 3-8-0 per diem; Winter Rs. 3 per diem.

Eden Hospital.

Turret rooms—Summer Rs. 9-8-0 per diem; Winter Rs. 8-8-0 per diem.

Cabins—Summer Rs. 4-8-0 per diem; Winter Rs. 4 per diem.

Eye Infirmary.

Cabins—Summer Rs. 3-8-0 per diem; Winter Rs. 3 per diem.

Prince of Wales Hospital.

Cabins, European Wards—Summer Rs. 8-8-0 per diem; Winter Rs. 7-8-0 per diem;

Cabins, Indian Wards—Summer Rs. 7-8-0 per diem; Winter Rs. 6-8-0 per diem.

(*iv*) The patients are allowed to have relatives in the cabins or cottages and are provided with crockery and receive Medical and Surgical attendance and nursing free of charge.

Outbreaks of cholera in Pabna owing to scarcity of drinking water.

268. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether he is aware that owing to water-scarcity there have been outbreaks of cholera in several villages within the Sadar and Sirajganj subdivisions of the Pabna district?

(*b*) If so, what steps, if any, have been taken in this direction?

Mr. S. W. GOODE: (*a*) Cholera breaks out in epidemic form almost every year in the Sadar and Sirajganj subdivisions of the Pabna district. The Director, Public Health, reports that the cause of these recurring outbreaks is the universal pollution of streams, pools, and tanks with human excreta. The danger is intensified when there is scarcity of water. The position of Pabna district in relation to cholera during the past 10 years is shown in the annual Sanitary Report for 1921.

A statement showing, month by month, the cholera mortality in the Sadar and Sirajganj thanas during the year 1922 is laid on the Library table.

(*b*) In January, 1922, Government deputed a temporary Sub-Assistant Surgeon for cholera duty in the affected areas of the district, but primarily it is the duty of the local bodies to prevent such epidemics and to deal with them when they arise.

Fish supply of Pabna.

269. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) whether he is aware of the gradual exhaustion of the sources of fresh fish supply in the district of Pabna; and

(*ii*) what steps, if any, are the Government taking to improve the fresh fish supply of the district?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) Yes.

(*ii*) The policy of Government since 1919-20 has been to appoint a District Fishery Officer to each district to investigate local conditions, to assist the central research staff and finally to carry out the recommendations of the latter, which would include the question of increase of fish supply. It is proposed to appoint a District Fishery Officer for this purpose in the Pabna district in the near future, if it is decided to retain the Fisheries Department with its present organization after considering the report of the Bengal Retrenchment Committee which has recommended its abolition.

Death-rate in Pabna.

270. SHAH SYED EMDADUL HAQ: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been drawn to the fact that the death-rate exceeds the birth-rate during the last twenty years in the jurisdiction of some of the police-stations within the Sadar subdivision of the district of Tippera?

(*b*) If so, what are the causes for this decline, and what steps are being taken to prevent the abnormal death-rate?

Mr. S. W. GOODE: (*a*) and (*b*) In 1909-10 the death-rate exceeded the birth-rate in one thana.

In 1918 this happened in three thanas and the excess occurred again in two of these thanas in 1919, while in two other thanas, the mortality was in excess both in 1919 and 1920. In different thanas also mortality was in excess in 1920.

There was no excess of deaths in any of the six thanas in the Sadar subdivision in 1921.

The cause of the excess in 1909 and 1910 is unknown. Influenza was undoubtedly responsible for the excess in 1918, 1919 and 1920.

Honorary and stipendiary magistrates.

271. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) whether it is a fact that in some districts of Bengal the work of the stipendiary magistrates have been greatly reduced;

(*ii*) if so, in which of the districts the criminal work of the stipendiary magistrates has gone down since September, 1920;

(*iii*) what action, if any, has been taken in pursuance of the resolution regarding the increase of honorary magistrates moved in the Bengal Legislative Council on the 30th March, 1922; and

(*iv*) in what districts has the number of honorary magistrates and stipendiary magistrates been increased or reduced since the moving of my resolution?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*i*) There has been a reduction in the work of stipendiary magistrates in some districts.

(*ii*) The member is referred to Statement A in the Report on the Administration of Criminal Justice during the years 1920 and 1921. Figures showing the work from September, 1920, are not available.

(*iii*) A statement is laid on the table.

(*iv*) A statement is laid on the table as regards honorary magistrates. There has been no change in the sanctioned district staff of stipendiary magistrates since March, 1922.

Statement referred to in the reply to clause (iii) of unstarred question No. 271, showing the number of new appointments and reappointments of honorary magistrates from 1st April, 1922, to 1st January, 1923.

Months.	Number of new appointments.	Number of re-appointments.
1922—		
April	1	16
May	9	11
June	2	19
July	4	8
August	1	11
September	6	21
October	9	7
November	3	11
December	7	11
Total ...	42	115

Statement referred to in the reply to clause (iv) of unstarred question No. 271, showing the number of honorary magistrates in each district on the 1st April, 1922, and 1st January, 1923.

District.	On the 1st April, 1922.	On the 1st January, 1923.	Result.
Bakarganj	35	34	-1
Bankura	22	22	
Birbhum	21	21	
Bogra	17	17	
Burdwan	46	43	-3
Chittagong	21	16	-5
Dacca	31	29	-2
Darjeeling	11	13	+2
Dinajpur	17	18	+1
Faridpur	26	25	-1
Hooghly	39	37	-2
Howrah	55	54	-1
Jalpaiguri	12	9	-3
Jessore	41	41	
Khulna	11	12	+1
Malda	13	12	-1
Midnapore	30	32	+2
Murshidabad	47	47	
Mymensingh	37	33	-4
Nadia	38	37	-1
Noakhali	20	18	-2
Pabna	23	22	-1
Rajshahi	17	17	
Rangpur	24	25	+1
Tippera	19	13	-6
24-Parganas	173	168	-5

Baral river.

272. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state what steps are being taken to improve the river Baral in the district of Rajshahi and Pabna?

(*b*) Is the Hon'ble the Member aware that numerous villages in both banks of the said river have been rendered unhealthy owing to the silting up of this river?

(*c*) Is it a fact that many villages on both the banks of the Baral, in the district of Pabna, were very healthy before the silting up of the river?

(*d*) Are the Government considering the advisability of employing one of the dredgers for the purpose of excavating the source and mouth of the said river?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) No steps are being taken to improve the river, because it might alter the course of the Ganges.

(*b*) Government have received intimation to this effect.

(*c*) Government have no information on this point.

(*d*) No, for the reason already explained.

Middle Class Unemployment Committee.

273. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*a*) when are the sittings of the Middle Class Unemployment Committee to commence and when is this Committee expected to finish its labours and present its report; and

(*b*) what is the probable amount of expenditure to be incurred on the Committee?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) The Committee has commenced its sittings. It is not possible to say exactly when the report will be ready; probably it will be ready in about six months.

(*b*) About Rs. 2,800.

Handloom industries in Bengal.

274. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to lay on the table a statement showing—

(*i*) the total number of handlooms working in each district of Bengal;

(*ii*) the number of workers employed thereon; and

(*iii*) the estimated annual yields of the looms in 1920, 1921, and 1922?

(*b*) Will the Hon'ble the Minister be pleased to state what steps have been taken during the last three years for the development of handloom industries in Bengal and what further steps are being contemplated in this direction?

(*c*) Will the Hon'ble the Minister be also pleased to state whether any facilities exist for the supply of yarn to weavers and for the sale of the products of the handlooms in each district?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) (*i*), (*ii*) and (*iii*) The labour involved in obtaining the information is incommensurate with its value.

(*b*) (*i*) Improved methods of weaving on fly-shuttle looms have been demonstrated at various Industrial and Agricultural Exhibitions.

(*ii*) Special demonstrations of improved methods of weaving have been held at the request of the local public at several places.

(*iii*) Expert advice and assistance have been given to persons interested in the establishment of handloom factories.

(*iv*) The Superintendent of Textile Demonstrations, Bengal, attended to the practical difficulties of the weavers on the spot.

(*v*) Instruction in the manufacture of marketable fabrics was given at places where the information was required.

(*vi*) Jacquards, Dobbies and Drawboy machines used in the weaving of ornamental designs on cloths have been successfully introduced amongst the weavers of Dacca, Santipur, Vishnupur, etc.

(*vii*) The fly-shuttle loom has been modified to suit the requirements of the Bengal weavers and some weaving appliances, such as the country Dobby, the barrel Dobby, etc., have been improvised at the Government Weaving Institute, Serampore, and their use and utility demonstrated to the artisans.

(*viii*) A Dyeing Department has been opened at the Government Weaving Institute, Serampore, and facilities have been given to handloom weavers to learn the art. Similarly, the art of block printing has been introduced to the handloom weavers and others interested.

(*ix*) Demonstrations in the dyeing and printing of cloth have been held at various weaving centres.

(*x*) A new District Weaving School affiliated to the Government Weaving Institute, Serampore, was opened at Noakhali in 1920, and during the last three years seven Peripatetic Weaving Schools have been started in the following districts:—Dacca, Khulna, Mymensingh, Pabna, Bankura, Malda and Birbhum, and the number of students, receiving instruction at a time in each of the above schools, has been recently doubled.

(*xi*) Artizans while receiving instruction at either a District or Peripatetic Weaving School or at the Central Institute at Serampore, each receive stipends from Rs. 4 to Rs. 6 per mensem from Government and the profits arising from the sale of their woven products are credited to them.

(*xii*) Weaving classes have been opened at three or four of the girls' schools at Calcutta under the auspices of the Young Women's Christian Association. At the Serampore Weaving Institute higher and artizan classes in weaving have been established at Serampore as an experimental measure for one year for the training of women.

(*xiii*) Loans are also given to the ex-students of the weaving schools to enable them to start business. The amounts advanced during the last three years are—

		Rs.
1919-20	... ...	1,187
1920-21	... ...	1,585
1921-22	... ...	3,180
	Total ...	5,952

(*xiv*) Yarn Banks have been started at Zorwarganj, Begumganj, Krishnagar, Hât Chapra, Comilla and Khulna.

(*xv*) One hundred and twenty Weavers' Co-operative Societies have been organized at various places and an information bureau has been opened in the office of the Co-operative Department to facilitate direct purchases from Calcutta.

(*xvi*) The market prices of yarn are supplied to all the Weaving Centres and Yarn Banks that require them.

The steps in contemplation for the development of the handloom industries in Bengal are—

(*1*) starting of more District and Peripatetic Weaving Schools;

(*2*) holding of demonstrations in improved methods of weaving and dyeing; and

(*3*) establishment of more Co-operative Societies for weavers.

(*c*) The member is referred to items (*xiv*), (*xv*) and (*xvi*) above.

Amendment of the Local Self-Government Act.

275. Maulvi SHAH ABDUR RAUF: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that Government are considering the amendment of the Local Self-Government Act?

(*b*) If so, when is the amending Bill to be introduced?

Mr. S. W. GOODE: (*a*) and (*b*) The member is referred to the reply to a starred question on the subject put by Shah Syed Emdadul Haq at this session.

Revision of the office of the Administrator-General.

276. Babu BROJENDRA KISHOR RAY CHAUDHURI: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state—

(*i*) whether it is a fact that the office of the Administrator-General, Bengal, has not undergone any revision since it was taken over by the Government in the year 1902;

(*ii*) whether it is a fact that the staff of the said office memorialised the Government of India some 10 years ago and the Government of India in reply held out hopes of bettering their prospects when the proposed amalgamation of the office of the Official Trustee with the Administrator-General was to take place;

(*iii*) whether it is a fact that the combined offices of the Official Trustee and the Administrator-General are being controlled by one set of Gazetted Officers since April, 1916;

(*iv*) whether it is a fact that the proposals for the reorganization of the combined offices had been submitted long before when the question of bettering the prospects of the entire ministerial establishment under the Government of Bengal on economic grounds arose culminating in the creation of the McAlpin Committee and eventually resulting in the issue of Finance Department Resolution No. 10278 F., dated the 17th July, 1922; sanctioning certain scales of pay as from 1st January, 1922, on a time-scale principle;

(*v*) whether it is a fact that the Government of Bengal in terms of the said resolution sanctioned in August last by a special communication the reorganization scheme of the said combined offices?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) Yes.

(*ii*) No. The Government of India said that the proposals would receive their further consideration in connection with the revision of

the Administrator-Generals Act, 1874, and the scheme for amalgamating the Administrator-General's office with that of the Official Trustee.

(*iii*) Yes.

(*iv*) The first reorganization scheme was received in January, 1918, and another one in January, 1920.

(*v*) Sanction was conveyed on the 30th August and the final scheme was submitted to this Government on the 27th November and is still under consideration.

Allowances to All-India services.

277. Rai HARENDRANATH CHAUDHURI: Will the Hon'ble the Member in charge of the Appointment Department be pleased to lay on the table a statement showing, service by service,—

(*i*) what increases of pay and allowances have been granted to the various All-India services in Bengal since 1914; and

(*ii*) how much additional expenditure from provincial revenues has been entailed by—

(*a*) the revision of the pay and prospects, and

(*b*) the increase of allowances of the All-India services since that date?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): The member is referred to the answers given to questions Nos. 35 and 164 asked, respectively, by Babu Kishori Mohan Chaudhuri and Babu Bhishmadev Das at the meetings of this Council held on the 21st November, 1921, and the 29th August, 1922, and to the statements appended, thereto. No further information is readily available.

Election expenses of local bodies in Pabna.

278. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing, subdivision by subdivision, for the district of Pabna, the total amount spent during the last three general elections to—

(*i*) district boards,

(*ii*) local boards, and

(*iii*) municipalities?

Mr. S. W. GOODE: The compilation of these figures which go back nine years would involve much time and labour which, in the opinion of Government, would not be justified.

Telegraph office at Sujanagar (Pabna).

279. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state whether it is a fact that in accordance with the answer given to unstarred question No. 187 put by me on the 30th August, 1922, the people of Sujanagar in the district of Pabna submitted in September, 1922, a petition to the District Magistrate for the opening of the telegraph office?

(*b*) Has the application been referred to the proper authorities?

(*c*) If so, when was this done?

(*d*) Has any estimate of cost been prepared for the purpose?

(*e*) If so, what is the amount estimated at?

(*f*) What will be the amount required from the local guarantors for the opening of this office?

(*g*) What conditions will be imposed on the guarantors?

(*h*) If the application has not yet been sent to the proper authorities, what is the reason for the delay?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): (*a*) Yes.

(*b*) The application has been referred to the Director-General of Posts and Telegraphs.

(*c*) The 4th November, 1922.

(*d*) No estimate has yet been submitted.

(*e*) Does not arise.

(*f*) It is impossible to say without an estimate from the postal authorities.

(*g*) It is impossible to say at this stage.

(*h*) Does not arise.

Ministerial officers in courts in Rangpur.

280. Maulvi HAMID-UD-DIN KHAN: Will the Hon'ble the Member in charge of Judicial Department be pleased to state—

(*i*) how many Hindu and Muhammadan ministerial officers have been appointed in the civil and criminal courts in the Rangpur district within the last five years; and

(*ii*) how many of them are *bona fide* residents of the district?

The Hon'ble Sir ABD-UR-RAHIM: (*i*) Civil courts.—Hindus 13; Muhammadans 5.

Criminal courts.—Hindus 11; Muhammadans 8.

(*ii*) Civil courts.—9. Criminal courts.—7.

Official Business.

The Goondas Bill, 1922.

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): I beg to present the report of the Select Committee on the Goondas Bill. I am glad to say that the report is a unanimous one, and I think we may claim that the Committee has carefully considered every suggestion made in the course of the debate on the first reading and in the public press or in the opinions received. The House will observe that the Bill has been very considerably altered, but I think the alterations will commend themselves to the Council. The Bill has only been altered in order to give effect to the wishes expressed on the first reading. We have discussed in our report various methods of giving effect to those wishes, and we have explained our reasons for discarding those we have not accepted.

There are three principal points in the alterations made. The first is with regard to the extension of the scope of the Bill. A very strong feeling was expressed in this House and also in the opinions we have received that the Bill could not be confined only to the area of Calcutta. We recognized that in any case the Bill must be extended to Howrah: otherwise the only result would have been to drive these goondas from Calcutta into Howrah. The Select Committee adopted the idea that Burrabazar might be regarded as the centre of the operations of these goondas. They, therefore, strove to create an enclave sufficiently large round Burrabazar to prevent the goonda from living just outside the area covered by the Bill and committing his depredations in Calcutta. At the same time we recognized that there was a danger that if the goondas were driven from Burrabazar, which is their most profitable field of operations, they might be able still to find a fairly rich field in the more congested districts around Calcutta. We have, therefore, taken an area round Calcutta sufficiently large to prevent the goonda living outside and coming into Calcutta like the ordinary person for his daily work.

The second main alteration refers to the inclusion of the Bengali goonda. On this point opinion in this Council and outside it has been absolutely unanimous. The alteration also gets rid of a very difficult question as to who is a Bengali by birth. The question then arises as to what are we to do with the Bengali goonda when we take action against him. As I stated when introducing the Bill, Government did not consider it, and the Select Committee did not consider it, justified to expel the Bengali from his own province. To keep him in Calcutta under any sort of supervision is useless. We could arrange that he should report himself to the thana in whose jurisdiction he lives six times a day, but whatever we did would still give him time to conduct his business in Burrabazar unchecked. We did not consider it right—we did not think

that we had justification to lock the Bengali goonda up. We therefore fell back on what seemed to us the only alternative, namely, to remove him from the scene of his temptation and to keep him away from this area.

The third question was the question of safeguards. I have stated before that Government deliberately left it to the Select Committee to put in the safeguards, and this was perhaps the most difficult question which the Select Committee had to consider. We recognized that the Council wished for two things: firstly, that the man should have as fair a run for his money as is compatible with the basic principle of the Bill; and secondly, that the Bill should not be used to attack political opponents even when these political opponents were so extreme as to attack the basic principles of all government. As regards the first wish of the Council that a man should have a fair run, the Council have already decided that it is necessary to deal with this evil by executive measures because it is not possible to deal with them under the ordinary process of the courts. Therefore, it is impossible to give the accused the same safeguards as he would have in an open trial in a court, but we have carefully considered what is fair, and I think we may claim that the provisions of the Bill do give a man as much fair treatment, as much run for his money as is compatible with the underlying principle of the Bill which the House has already accepted. We must remember that we are not trying him for a criminal offence and we are not inflicting upon him judicial punishment. We are, as the House has decided, proposing to deal with him by an executive measure and remove him from our midst. In our report will be found some of the proposals which we discussed in Select Committee and discarded with the reasons for our action.

As regards the second desire of the Council that the Act should not be used as a political weapon in any way, we have endeavoured to meet this wish by altering section 3 and limiting it to offences against persons and property. We considered the possibility of defining "goonda" and we are unanimously of opinion that it is an impossibility. The final safeguard which we have adopted is that of laying the papers before two Judges of experience. I admit that this solution is open to a charge which is often brought against this Council, namely, that it considers that whenever there is an executive action to be done, the only person who can do it is a judicial officer, but we recognize that what the Council wish is that the charges against a man and the evidence on which they are based shall be thoroughly examined and scrutinized by men who have had experience in weighing evidence and that is what we have done. We have provided that the charge together with all the papers shall be laid before two Judges of experience and their report is to be submitted to Government, and whatever action Government take, Government must publish the conclusions arrived at by the Judges.

I beg to lay the report of the Select Committee before the House.

I now move that the Goondas Bill, 1922, as amended by the Select Committee, be taken into consideration.

The motion was then put and agreed to.

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): The preamble will be left over for consideration at the end of the Bill.

CLAUSE 1.

The question is that clause 1 stand part of the Bill.

Babu INDU BHUSHAN DUTTA: I move that after clause 1 (2) the following be added, namely:—

"(3) It shall remain in force for a period of two years only."

It is admitted on all hands, that this is in the nature of an extraordinary measure to meet an extraordinary situation. This Bill would not have been needed at all, if the Calcutta Police had not failed to meet the goonda evil. The powers under the ordinary criminal law of the land are very wide and I feel sure, as has been asserted by the members of the Police Court Bar Association—a body of gentlemen who are in the best position to know the work of the Calcutta Police—that had the police utilized their powers under section 110, more vigorously, more honestly, and more scrupulously, there would not have been any need of this Bill at all. But the cry has been raised that the powers of the Calcutta Police are not wide enough, and as a considerable section of the Calcutta public have joined in this, I think it will be unfair for us, the mufassal people, to oppose this Bill. But, we, as custodians of the rights and liberties of the people, cannot be a party to a law, which goes against the very fundamental principle of the right of defence of any person in an open court. We should, therefore, make this Act a temporary one and see how the police handle their newly-acquired power. There is a great danger in giving these extraordinary laws a permanent place in the Statute Book of the country, as has been amply evidenced by the recent application—may I not say—misapplication of the Criminal Law Amendment Acts during the political activities of last year? When these Acts were passed, assurance was fully given that these Acts were only meant to deal with revolutionary anarchists. When the Acts were new, these assurances were, no doubt, kept, but as time went on, they became part of the old laws and we know how they were utilized to meet with an ordinary political situation. We also know how the old rusty sword of the Deportation Act of 1818 was brought down to deal with ordinary political offenders, whereas the original purpose of the Act was quite different. In this case also, we are naturally afraid that the assurances that are given now against its application in political cases may be conveniently forgotten after a lapse of a few years. The argument of the Select

Committee against its being made a temporary measure does not seem to carry great weight. They say that the very success of the measure will militate against it. Now, if the Act succeeds, it need not be re-enacted at all. If the goondas return after two or three years, the public opinion is sure to take up the cry and I cannot believe that any future legislative council will be so irresponsible as not to pay any heed to that. We are passing this Bill to-day, and we are sure that if the goondas return and start their depredations, the next Council will not fail to re-enact this Bill. Then, Sir, if this Bill is made temporary, the very fact of its being temporary will be a safeguard against the abuses and excesses of the police, because they will know then that this extreme power which they are going to have in the Act, if misused, will be withdrawn from their hands and the Act will not be re-enacted. Therefore, I think that there is a great deal of force in the position which we have taken up—that this Act, being more or less in the nature of an experimental measure, should be a temporary one. If it succeeds, and if we find that the police have improved and are utilizing their powers well and are suppressing the goonda evil, we can go on with it; otherwise, it should cease to operate after two years.

Rai HARENDRANATH CHAUDHURI: I move that after clause 1 (2) the following be added, namely:—

"(3) It shall come into force at once and shall remain in force till the 31st December, 1925."

After the able speech that has been delivered by my friend, Babu Indu Bhushan Dutta, I do not think many words are required to support my amendment. My amendment only proposes that this Act should remain in force till the 31st December, 1925, that is, for three years. Babu Indu Bhushan Dutta has rightly pointed out that the reason given by the Select Committee, for not making this Bill a temporary measure, is not quite convincing. It is said that its very success would militate against its extension as it would then be contended that with the disappearance of goondaism the need for the Act was gone. This is generally the case, Sir, with all extraordinary measures. When a person is ill, of course he takes some medicine and if that medicine succeeds and the person recovers, then no reasonable man will suggest that the medicine should go on as part of his normal food. This disposes of that reason. Then, Sir, we have not been convinced by the arguments which have been advanced for enacting such a drastic measure. It is said that the Act is necessary because the preventive sections of the Criminal Procedure Code could not effectively deal with the goondas. I do not think there is much force in that argument. It will be seen from the Police Administration Report of Calcutta for 1920 that it is not true that there is any great difficulty of successful prosecutions under the preventive sections of the Criminal Procedure Code. Because on referring to Statement A of the report it will be found that,

proportionately speaking, the number of convictions under sections 109 and 110 of the Criminal Procedure Code is not less than the number of convictions for other offences. Take, for instance, serious offences against the person—there were 857 cases reported in 1920 of which 269 met with conviction. Then take offences against person and property. There were 1,554 cases of which 338 only met with conviction. Then in the case of minor offences against the person, out of 95 cases 28 met with conviction, while under minor offences against property, out of 7,327 cases 2,311 met with conviction. But in cases under sections 109 and 110 of the Criminal Procedure Code, out of 800 cases, as many as 548 cases ended in conviction. Thus it is established that the number of convictions under sections 109 and 110 of the Criminal Procedure Code is certainly higher than in the case of other offences. I therefore beg to submit that this Act, if at all placed on the Statute Book, should be a temporary measure. Surely an Act which is designed to deport persons without trial cannot be entertained by people who have any love for personal liberty, unless it is of a temporary nature, enacted for a limited period only.

Rai Dr. HARIDHAN DUTT Bahadur: I rise to oppose this amendment. I fear that some of my friends have not fully realized the situation. On the last occasion when this Goonda Bill was first presented before this Council, some of us spoke out what we actually felt in the heart of our hearts. In Calcutta the disease is very deep-rooted. My friend, Babu Indu Bhushan Dutta, says that a treatment for two years will eradicate the mischief. I can assure my friend that he is thoroughly wrong. The mischief caused by the goondas all throughout the city had been so extensive, and I would again say so deep, that two years' treatment is only likely to touch the fringe of it. After two years, even admitting that this Bill will succeed in its object, what would be the state of affairs? The members of the Select Committee have very forcibly pointed out that if the Bill succeeds in its efforts to eradicate goondaism from Calcutta, a day will come when people will say—men like Babu Indu Bhushan Dutta and others will say—that the object has been achieved and there is no reason or justification for the extension of the same. Then, the inevitable result would be that these goondas will come back to resume their nefarious work. A period of two years, after all, is so short a time that I cannot conceive any reasonable man suggesting that in two years this deep-rooted disease will be eradicated from Calcutta. If my friend had suggested ten years, I might have considered that as somewhat reasonable, but two years, I again say, are extremely unreasonable.

My friend has a suspicion that this Bill might be used against political offenders and that it might be abused. I cannot but admit that there is a feeling like that not only in him but in other minds also. An assurance has been given by the Hon'ble the Member in charge of this Bill

and the Select Committee that Government have no intention of applying this Bill to political offenders, and if my friend will kindly see that there is an amendment in my name which will come up later on in which I would ask this Council to specifically lay down that no section of this Bill will be applicable to political offenders. If my friend agrees with that, well, he would be best advised to support me when that comes up before this Council, but that is no reason why the Bill should only be restricted for two years and its utility curtailed thereby.

Babu SURENDRA NATH MALLIK: I have got to oppose this amendment but I must say I do not find fault with my esteemed friend over there because it is a point that I myself took up in the Select Committee. I myself at first thought that this Bill should be limited to three years, but after hearing the explanation of my brother members of the Committee I was convinced that it would be a mistaken policy to do so. First of all it would defeat the very purpose of the Act; you will drive these men away for a little time only; we do not want them to come back; what we want is to get rid of them permanently, if possible. That is the idea. A goonda is a quite different sort of person. I, therefore, think that this amendment, if accepted, will defeat the very purpose of the Act. Supposing that this is done, what would happen if after two years these people come back and go on making depredations on society till it becomes almost insufferable, then action might be taken by Government after a year or two. This means that the people of Calcutta and its neighbourhood will have to suffer for 5 or 7 years before any action can be taken. On these grounds, which I think are very strong grounds, and on which I had to change my opinion (the opinion I had before), I think this amendment ought not to be accepted.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I beg to oppose this amendment because it strikes me that two years is too short a period for giving any piece of legislation a fair trial, and if the House is of opinion that no legislation is needed to extirpate the goondas from Calcutta, that is quite a different thing; but if goondaism is an evil and if some extraordinary measure is needed for removing that evil, this measure should exist not only for two years but for any number of years; because Calcutta is just the ground where goondaism is likely to prevail and to prosper. Supposing this Bill, after it passes through the Legislature becomes an Act, and if it remains in force only for two years, goondas may be clever enough to keep back their activities for two years and then return to Calcutta and resume their activities in Burrabazar. I think that there is an apprehension in the mind of my friend, Babu Indu Bhushan Dutta, that once it is kept permanently on the Statute Book, abuse may be made of it hereafter. In that case, I think that the members of this Legislature, will be alert enough to see that if any abuse be made, another Bill may be introduced for removing this undesirable piece of legislation from the Statute Book altogether. But this period

of two years is such a short period that not even the police, if they mean to abuse the provisions of this law, will know how to abuse or make use of them to their advantage. So, under the circumstances, as the Goondas Bill has been introduced with the consent of this House, and as it has been thought necessary that this Bill should be passed with necessary amendments, I think that the period should not be restricted to two years only. So I oppose this amendment.

Babu NITYA DHON MUKHERJEE: I rise to oppose this motion. Babu Surendra Nâth Mallik has not answered the point raised by Rai Harendranath Chaudhuri. According to the latter, the figures received by him about sections 109 and 110 are sufficient to show that such an Act is not necessary for such a long period as has been suggested in the Bill. My friend has no practical experience of the operation of sections 109 and 110 cases. These goondas have got paid men under them who carry out their work. Moreover the public are so afraid of them that though during the police inquiry they say that they have been robbed and assaulted or cheated, yet as soon as they see the beautiful face of a goonda in the witness box, they forget everything and deny all knowledge about the accused. They would say, "that this is not the man; I do not remember what I told the police" and so forth. Such is the state of things. Everybody is afraid of a goonda. There are certain cases—I can give specific instances—in which persons who are employed either in a mill or in a workshop have respectable houses and who mix with and help people who regularly commit house-breaking and theft. In a case under sections 109 and 110 in Howrah, five persons were prosecuted, of whom two had houses and were working in mills. The rest had no houses neither had they any means of subsistence. The two were acquitted because they could prove that they had ostensible means of livelihood, although they were found in the company of those who had house-breaking implements with them at the early hour of 2 A.M. So, an Act like the one under discussion is permanently necessary in Howrah.

Babu KISHORI MOHAN CHAUDHURI: I do not want to say much. This is an extraordinary measure. When an extraordinary measure is taken, it should not be a permanent one on the Statute Book. I fully sympathize with the mover of the motion and at the same time I appreciate the indignant feeling of my Calcutta friends. Let there be a compromise, so let us make it five years.

Mr. PRESIDENT: You cannot do that.

Babu KISHORI MOHAN CHAUDHURI: I am only making a suggestion. If that is acceptable to my friends here, so far so good. All that I can say is that as this is an extraordinary measure, we should not place it permanently on our Statute Book.

Maulvi A. K. FAZL-UL-HAQ: It is significant that both these amendments come from gentlemen who do not ordinarily reside in Calcutta. As an ordinary resident of Calcutta, I would advise my friends, Babu Indu Bhushan Dutta and Rai Harendranath Chaudhuri, to withdraw these amendments. Apparently, they do not know the class of people against whom this legislation has been directed. I do not admit that I am very thick and thin with goondas but I know certainly what a goonda is like. I would have said some strong things about them, but some of them understand English and I do not wish to imperil my life by saying things which they may come to know later on. The point is that it is very difficult to fix a limit of time within which a certain evil can be eradicated. Whether we like it or not, we have got to repose some confidence in the authorities. If we have got no confidence, let us oppose this enactment altogether, but if we have this much confidence that we allow this Act to be passed, let us have a little further confidence that when the necessity no longer exists, Government will be the very first to withdraw this Act and remove it from the Statute Book. More obnoxious Acts have been removed from the Statute Book not because of agitations but, I may say, voluntarily when the Government was fully convinced that there was no necessity for these legislations. (A voice: "Question.") It may be questioned, but I may point out the Rowlatt Act and others. There was a great clamour and it was not repealed. When it was repealed, there was hardly any clamour from the public. It was done spontaneously. (Voices: "Question, question.") Your sneers do not and cannot distort the truth.

As regards the apprehension that the enactment might be used against political offenders, supposing that it is on the Statute Book only for two years, that would be a long enough time for Government to use it with vengeance against anybody they like. So, what I respectfully submit to the members of this Council is that once they have allowed the Government to introduce this enactment, let the enactment have a fair chance, and if we find that the provisions are being misused, it will be open to us to point out to the Government that the enactment should no longer remain on the Statute Book. At any rate, I do not think that a proposal like this, putting a time limit, should, under present circumstances, be accepted. I therefore beg to oppose the amendment.

Rai Sahib PANCHANAN BARMA: I beg to oppose this amendment. It seems to me that the amendment has been moved under an apprehension that the provisions of the Act may be applied against political offenders. I beg to submit that there is a great difference between a political offender and a goonda. A goonda is a dishonest man and is always committing offences against person or property, while a political offender is an honest man having certain political ideals which he tries to achieve. He is expected not to commit any violence against person

or property. So, I beg to submit that there need be no apprehension of the application of the provisions of this Act to political offenders. There is something more perhaps. There is a feeling that when occasions arise Government will try to apply the provisions of this Act against any political offender. This is charging Government with dishonest intentions. We must think that Government is honest. When we see that Government is dishonest, then we must oppose it. If we do not believe the Government it cannot do its work at all.

If you look to the provisions of the Act, you will find that they amply provide for the elimination of political offenders from their application. There are two safeguards. First, the Commissioner of Police is to report against a person, and then the report has to go to two advising Judges, who are to consider the report. The person against whom a report is made, has to come and give explanation. We cannot expect that these Judges would be bribed by Government to say something against a political offender. I beg to submit that if we go on at this rate, we will be forced to disbelieve anybody and everybody. In this state of things no real order is possible. With these few remarks, I beg to oppose this amendment.

The Hon'ble Mr. H. L. STEPHENSON: I will not follow Babu Indu Bhushan Dutta into a discussion of the necessity of this Act, which the Council has already accepted. Rai Harendranath Chaudhuri has given us statistics as to the number of persons bound down under sections 109 and 110, but the proof of the pudding is in the eating and the fact remains that the goondas we want to get at have not been bound down. The reasons why they have not been bound down I have already given in my previous speeches and I will not weary the Council by repeating them. After the opinions that have already been expressed on this amendment there is not much more for me to say, but I would like to summarize briefly the reasons against it. In the first place, if the Bill is successful, it will be impossible to ask the Council to renew it. It will mean that before Government comes before the Council for its renewal it must have a sufficient cause and Babu Surendra Nath Mallik has pointed out that we shall have to wait till the tyranny of the goondas has got so bad again that Government and the Council are goaded again into action. It will mean some years. Already I have received information from the police that in view of the opinion among the goondas that the Council really means business, several of them have shut up shop. One of the important goondas in the southern part of the town came to the Deputy Commissioner a little while ago and asked whether if this Bill were passed it would apply to him. He was told it most certainly would. He then proceeded to sell his house and retired up-country. But if the goondas imagine that this Bill is only a temporary measure, they will only go away for a holiday and will not sell their houses. Secondly, a two-year Bill will not remove the terrorism. One

of the grave reasons why we had introduced this Bill is the terrorism exercised by the goondas over the inhabitants of Calcutta. Two years are not long to wait for vengeance and if I were a witness terrorised by goondas, I certainly should not think that I would be justified in giving my evidence if my period of safety would last only two years. Thirdly, and I think that this is the fallacy underlying the amendment, the evil is not a temporary one; it has been growing for ten years. It is a cancer and you have got to cut it out or eradicate it by constant application of some systematic treatment. Spasmodic treatment will not do. It has got to be something of a very definite and continued application. Lastly, the Act in the form it has taken can be readily repealed as it is not forming part of the Police Act. It is a separate Act on its own. Any member of the Council can bring forward a Bill to repeal this Act if it is unsuccessful or if it works badly or if it is abused. If, however, the Bill is successful and is no longer required it will lapse; it will not be used. I venture to predict that this Bill will form a model for all other provinces in course of time. They will find that they, as usual, have to follow the example of Bengal in dealing with a matter like this.

The motion of Babu Indu Bhushan Dutta was then put and lost.

The motion of Rai Harendranath Chaudhuri was then put and lost.

Mr. PRESIDENT: The question is that clause 1 stand part of the Bill.

The motion was then put and agreed to.

CLAUSE 2.

Mr. PRESIDENT: The question is that clause 2 stand part of the Bill.

Rai Dr. HARIDHAN DUTT Bahadur: I move that in clause 2(2), the words "and does not include a Deputy Commissioner" be added at the end.

As the Bill is at present drafted, it runs as follows:—The Commissioner of Police means the officer vested with the administration of police in Calcutta. Under the Calcutta Police Act, 1866, the Calcutta Suburban Police Act, 1866, the Calcutta Port Act, 1890, and any Act amending any of these Acts. I want the addition of these words, viz., "and does not include a Deputy Commissioner." Some of my friends have pointed out and I agree with them that this Goondas Bill is after all an extraordinary measure and it is highly desirable that the power which it proposes to confer upon the police should be exercised by the headman, viz., the Commissioner of Police and not by any of his deputies. With this end in view I have moved this amendment. At first

sight this amendment may appear to be superfluous but that is not so. Under section 5 of the Calcutta Police Act of 1866, a Deputy Commissioner of Police is competent to perform any duties assigned to the Commissioner of Police under his order. In a case which has been cited (the case of Percy *vs.* Wilson) it has been held by two High Court Judges that under section 5 of the Calcutta Police Act the Deputy Commissioner has all the powers of the Commis ioner of Police subject to the control of the Commissioner. Apart from any special direction by the Commissioner, however, any act of the Deputy Commissioner which would be within the powers of the Commissioner of Police is valid and no instructions either in writing or otherwise or general or in regard to specific acts are necessary to render the acts valid. That is the justification for my amendment. As the Deputy Commissioner of Police has all the powers of the Commissioner of Police subject to the control of the latter and as no special specific direction is necessary, it is desirable in defining the Commissioner of Police to make the definition more explicit.

Mr. PRESIDENT: I shall call on Babu Jatindra Nath Basu to move his cognate amendment now. The other amendments will be open to debate.

Babu JATINDRA NATH BASU: Rai Dr. Haridhan Dutt Bahadur has referred to the provisions in the existing law defining the functions of the Commissioner of Police, Calcutta. He has also referred to judgments of the High Court. In one of these judgments it is stated that a Deputy Commissioner of Police appointed under section 5 of the Calcutta Police Act has all the powers of the Commissioner of Police subject to the control of that officer. The Commissioner of Police may at any time set aside any of his orders either in writing, or verbally or otherwise with regard to any matter. Apart from any special directions, however, any act of the Deputy Commissioner, provided that it be within the power of the Commissioner, is valid and no instructions either in writing or otherwise or general or in regard to specific acts are necessary to render such act valid. We are investing in this Bill the Commissioner of Police with very large powers. But having regard to the fact that some of the material safeguards which an accused person has in meeting charges against him under the ordinary law are being taken away, it is necessary that the most responsible officer of the Calcutta Police should himself deal with the case. In the interests of justice, these powers that are given under this Act should not be exercised by any subordinate of the Commissioner of Police but by the Commissioner of Police himself. I propose, therefore, that the expression "Commissioner of Police" in this section should exclude the Deputy Commissioner of Police or any other officer under him.

Mr. S. R. DAS: I oppose this amendment merely on the ground that I think it is superfluous. I think that it is desired by all of us that

the powers which the Commissioner of Police is entitled to exercise under this Act should be confined to the head, *i.e.*, to the Commissioner of Police and not to the Deputy Commissioners. This question was considered very carefully in the Select Committee and I think that I can assure hon'ble members that as worded here a Deputy Commissioner of Police cannot perform the functions of the Commissioner of Police so far as this Act is concerned. The case referred to by the previous speakers is a case under the Police Act. We have here taken the trouble to define the Commissioner of Police and not left it merely as the Commissioner of Police undefined. The Commissioner of Police means the officer vested with the administration of the police in Calcutta and that is only one officer and neither under this Act nor under any other Act is a Deputy Commissioner vested with the administration of Police in Calcutta. This was considered and therefore I oppose this amendment as I have said, not because I desire that a Deputy Commissioner should have the same power as the Commissioner, but because I think that it is superfluous.

Babu SURENDRA NATH MALLIK: I quite sympathize with the feeling that it should not come down to anybody below the Commissioner of Police. I raised this question in the Select Committee, but the Hon'ble the Advocate-General assured us that it was not necessary to put in the words "excluding the Deputy Commissioner." That stopped me and the House has had the advantage of listening to the arguments of the Hon'ble the Advocate-General himself. We are all anxious that it should not go to anybody below the Commissioner of Police himself. I was told in the Committee that the Commissioner of Police means the hon'ble gentleman who sits behind me (Sir Reginald Clarke) and nobody else. So, that is all right, and I oppose the amendment.

The Hon'ble Mr. H. L. STEPHENSON: I have nothing to add to the explanation given by Mr. Das. Government entirely agree that these powers shall be exercised by the Commissioner of Police alone and we are advised by all the legal advisers whom we consulted in the matter that the clause does give effect to the intentions of the Government and of the Council. I would therefore oppose these amendments. I think the introduction of these words may lead to consequences which we have not considered.

Rai Dr. HARIDHAN DUTT Bahadur: After what I have heard from the Hon'ble Mr. Stephenson, I beg leave to withdraw my amendment.

The amendment standing in the name of Rai Dr. Haridhan Dutt Bahadur was then, by leave of the Council, withdrawn.

Babu JATINDRA NATH BASU: In view of the opinion expressed by the Advocate-General, I beg leave to withdraw my amendment.

The amendment standing in the name of Babu Jatindra Nath Basu was then, by leave of the Council, withdrawn.

Babu INDU BHUSHAN DUTTA: I find that my amendment is similar to the amendments standing in the names of Mr. Ajoy Chunder Dutt and Rai Dr. Haridhan Dutt Bahadur under clause 3. Therefore I would like to withdraw my amendment now in order to support the amendments of those two members.

The following amendment standing in the name of Babu Indu Bhushan Dutta was then, by leave of the Council, withdrawn:—

That in clause 2 (3) after the word "rough" the following be added, namely:—

"but excludes a political offender or a person charged with any offence against the State."

Babu INDU BHUSHAN DUTTA: I move that after the word "goonda" in clause 2 (3), the following be inserted, namely:—

"means a person of a desperate and dangerous character whose being at large is hazardous to the community."

During the discussion on the first reading of the Bill, the opinion was expressed from all sides of the House that some sort of definition of the word "goonda" should be found out to make the working of the Act comprehensive for the purpose in view. I find that the Select Committee after making vain attempts have failed to find out any definition except that "goonda" includes a "rough or hooligan." Now, Sir, as was pointed out during the earlier stages of the Bill, this definition is very vague and may include anybody. The description of a criminal under section 110 of the Criminal Procedure Code has been found to be very useful and I do not see why that definition, with some alterations, should not be applicable in this case also. I believe, that the definition that I have suggested will meet the point and I hope, the Hon'ble the Member in charge, will accept it.

Rai HARENDRANATH CHAUDHURI: I move that for clause 2(3), the following be substituted, namely:—

"A 'goonda' means a person who—

(a) is by habit a robber, house-breaker or thief, or

(b) is by habit a receiver of stolen property knowing the same to have been stolen, or

(c) habitually protects or harbours thieves or aids in the concealment or disposal of stolen property, or

(d) habitually commits hurt, mischief or extortion or attempts to do so, or

(e) is so desperate and dangerous as to render his being at large without security hazardous to the community."

I admit, Sir, that I have taken it almost bodily from section 110 of the Criminal Procedure Code. It has never been suggested by anybody that that section was not comprehensive enough to include all sorts of roughs and badmashes. All that was alleged was that these preventive sections could not effectively deal with the goondas for want of evidence. Therefore, I do not understand why the definition as given in section 110 of the Criminal Procedure Code should not be adopted in this Act and why the term goonda should be defined by a synonym only and the actual denotation should be left vague. It is said that in the Select Committee various definitions were examined but they found them all open to serious practical and legal objections particularly those which introduce the word "habitual." I do not understand why there should be any practical difficulty in the way. Government said the other day that it had a Goonda Department and that it was the work of that department to register and classify criminals of this type—they watch the activities and movements of these people. So in that case it will not be difficult for the police to find out who are professional goondas, *i.e.*, goondas by habit.

It is said that there are legal objections to the introduction of the word "habitual." Had that been so, section 110 of the Criminal Procedure Code would have required amendment. Moreover, it must be remembered that goondas will be removed not by a judicial procedure but by an extra-judicial procedure and executive orders and it is provided in the Bill that the revising Judges will not be bound to observe the rules of evidence and technicalities of law. So, as there will be no observance of and insistence on legal technicalities at all, I do not understand why such a clear definition cannot be adopted.

Babu JATINDRA NATH BASU moved that for clause 2(3), the following be substituted, namely:—

"(3) 'goonda' includes—

(*i*) one who is by habit a robber or thief, or

(*ii*) one who habitually protects or harbours robbers or thieves or aids in the concealment or disposal of stolen property, or

(*iii*) one who habitually commits extortion, or

(*iv*) one who habitually commits or attempts to commit or abets the commission of offences involving a breach of the peace, or

(*v*) one who is so desperate, dangerous or violent as to render his being at large hazardous to the community."

I appreciate the difficulty that has been felt in defining the expression "goonda," but I do not see why the attempt to define it should be given up. We all know the nature of the criminality that goes to make a goonda; I have seen the suggestions submitted to Government

by various public bodies. The amendment that stands in my name has been taken from the suggestions made by the Bar Association of the Calcutta Police Court. The Bar Association of the Police Court is a body specially qualified to express an opinion on the matter. The definition of goonda as given in the Bill is really no definition at all. It still keeps open the question to the authorities constituted under this Bill to decide who is a goonda. There should not be, so far as possible, any such laxity in the terminology of criminal law. An attempt should be made to arrive at precision. Rai Harendranath Chaudhuri has taken his amendment from section 110 of the Criminal Procedure Code. My amendment is almost the same, with the exception of the last sub-clause (*e*) in which I have added "one who is so desperate, dangerous or violent as to render his being at large hazardous to the community." I think these words comprehend all that we mean by the term goonda.

Babu SURENDRA NATH MALLIK: I beg to oppose this amendment on the ground that, however difficult it might be to find a suitable definition of goonda, we all tried in the Select Committee to make it as suitable as possible; the one that is suggested here, is absolutely impossible. It cannot be accepted. It is nothing but a quotation from section 110 of the Code of Criminal Procedure—in fact, the whole of it. The section of the Criminal Procedure Code reads as follows:—

Whenever a Presidency Magistrate, District Magistrate, or Subdivisional Magistrate or a Magistrate of the first class specially empowered in this behalf by the Local Government receives information that any person within the local limits of his jurisdiction—

(*a*) is by habit a robber, house-breaker or thief, or

(*b*) is by habit a receiver of stolen property knowing the same to have been stolen, or

(*c*) habitually protects or harbours thieves or aids in the concealment or disposal of stolen property, or

(*d*) habitually commits mischief, extortion or cheating or counterfeiting coin, currency notes or stamps, or attempts so to do, or

(*e*) habitually commits, or attempts to commit, or abets the commission of, offences involving a breach of the peace, or

(*f*) is so desperate and dangerous as to render his being at large without security hazardous to the community,

such Magistrate may, in manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond, with sureties, for his good behaviour for such period, not exceeding three years, as the Magistrate thinks fit to fix.

What is the object of this? Here is this provision of the law which provides a special way in which persons coming within this definition have got to be tried. They have got a right of being tried openly and judicially with the witnesses before them and of cross-examining them; then, if convicted or bound over, they might go and appeal before the Sessions Judge and then they might go and lodge an appeal before the

High Court; thus the whole judicial procedure is there. Do you mean t take that away from everybody who comes within this provision? Yo say that this is a dangerous Act but I think it is quite dangerous to intro duce something which will absolutely take away the liberty of th people to a large extent. A man who might be a habitual thief or a thi under this section will say—" try me under the Criminal Code, I wa to cross-examine the witnesses, I want to engage lawyers and will fe them properly (it goes without saying) and then I will agree my cas If I am convicted or bound over, I can move the learned Sessions Judg and their Lordships of the High Court. Thus I can challenge the dec sion." This provision is given for this purpose and you want to dra this man out from the provisions of this Act. Under the proposed Bi there is no trial. You object to it as being an extraordinary law an you say that it ought not to be done. We must remember that it is a extraordinary measure for extraordinary people under extraordinar circumstances and the whole object is to avoid an open trial. Yo should never forget that. Surely, the movers of these amendment have forgotten the idea, the principle underlying this Act tha we cannot afford to have an open trial, and that should no be lost sight of. For the second time, a reference has bee made to the Calcutta Police Bar Association and that is reason I am bound to say something. I had a talk with them. I appears that these learned gentlemen have failed to take the corre view of this matter; they have overlooked the principle underlying th Bill, the very idea for which this Bill is being made, and that is tha we cannot afford to have an open trial. It is impossible; it is danger ous to the witnesses concerned. The man who comes to give evidenc is intimidated. As I know of a case which I was called upon to try a witness was shot down when the case was at the investigation stag The man's son came to give evidence after the father was killed.. H was a little young fellow who appeared before the tribunal about 23 day after the murder. This is what we do not want. We went an held an inspection at the time when the man was living and in th meantime the man was shot down; then the boy came with the robe according to the custom which we wear in our mourning and he wep and gave his evidence and said that that was the reason why hi father was shot down. He was absolutely afraid, no doubt he woul be, and the police had to take him away from his village—I think i was Agarpara where this happened. I therefore say—please do no forget the real purport of this Act and it is this that so far as th witnesses are concerned and so far as the trial is concerned, you canno have it in an ordinary way. What is the good of saying all this For ordinary badmashes there is a procedure in the Criminal Code an you say that this ought to be the definition of the extraordinar badmashes whom we want to deal with under the proposed Bill. I d not understand if there is any sense in this. I quite feel that in th

Select Committee we failed to define the word "goonda" properly. But we have done our level best and we could not do more; but because we have failed to do it, that is no reason for introducing something which will absolutely take away the rights of other people who have been given a right under the law. I am doubtful whether you can take away the provisions of the superior legislature, viz., the Government of India Act, by introducing these things here. I therefore think that there is no substance at all in these amendments, and they cannot be accepted. I admit, however, that there are difficulties in the way of our making the definition as scientific as it should be in a criminal law.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I am afraid my friends are so very anxious to have a definition—a logical definition—of the term "goonda" that it appears to me to be a waste of time. I do not think that the amendments that have been brought forward or the suggestions that have been made are in any way satisfactory; they are neither scientific nor logical. At the same time we know what a goonda is. Oftentimes it is better to describe a thing by a synonym than to try to give a logical definition because that generally lands us into certain absurd positions, and I find that it is exactly the case with my friends.

In trying to give an exact definition of the word "goonda" Rai Harendranath Chaudhuri in his amendment says that a goonda means a person who is by habit a robber, house-breaker, etc., and transplants bodily section 110 of the Criminal Procedure Code without taking into consideration the fact that even there it is no definition. Babu Jatindra Nath Basu in his amendment says that a goonda includes one who is by habit a thief, etc., and he also introduces all that we find in section 110. The difficulty has been pointed out by Babu Surendra Nath Mallik that here we are going to introduce a conflict of law. The Criminal Procedure Act, which is an Act of the Government of India, says:—

110. Whenever a Presidency Magistrate, District Magistrate, or Subdivisional Magistrate or a Magistrate of the first class specially empowered in this behalf by the Local Government receives information that any person within the local limits of his jurisdiction—

(a) is by habit a robber, house-breaker or thief, or

(b) is by habit a receiver of stolen property knowing the same to have been stolen, or

(c) habitually protects or harbours thieves or aids in the concealment or disposal of stolen property, or

(d) habitually commits mischief, extortion or cheating or counterfeiting coin, currency notes or stamps, or attempts so to do, or

(e) habitually commits, or attempts to commit, or abets the commission of, offences involving a breach of the peace or

(f) is so desperate and dangerous as to render his being at large without security hazardous to the community,

such Magistrate may, in manner hereinafter provided, require such person to show cause why he should not be ordered to execute a bond, with sureties, for his good behaviour for such period, not exceeding three years, as the Magistrate thinks fit to fix.

Here the accused has the right to be tried in a particular manner and is called upon to give security for his conduct. Now, if it is found that a man in Calcutta who is by habit a man of that description, can he not claim to be tried under the Criminal Procedure Code and not by the special legislation passed by the Bengal Legislative Council? Here is a serious conflict of law which must be taken into consideration. I think that if a man is said to be habitually a robber, etc., it has got to be established by evidence. We know that there are a large number of High Court rulings on this point. What is meant by the words "by habit or habitually a robber"? If a man commits one single act of robbery he cannot be said to be a habitual robber It is also to be decided how many robberies should have to be committed before a man is to be regarded as a habitual robber. These are learned disquisitions which should not be introduced in the Bill. You want for Calcutta a bit of special legislation to deal drastically with these pests of society and you are going to introduce so many conflicting laws that practically the Bill will fail to attain its object. That is why I am opposed to all these attempts at definition.

There is no definition practically possible. It has been sought to define the goonda as a robber, a house-breaker or thief, receiver of stolen property, etc. Obviously, he who harbours such a person is also a goonda, and a man, who is desperate and dangerous that he should not be allowed to be at large without security, is also a goonda. Here the word "security" is introduced because section 110 is a security section, but here we do not want anything like that. What we want is that these pests of humanity should be suppressed and Calcutta should be freed from them by this piece of special legislation. Of course we expect that much good will come out of this Act although we do not know how it will operate, for its operation is not in the hands of the legislature. The application of a law is a different thing altogether, but this attempt at definition is simply futile and it will stand in the way of giving the Bill its proper value and worth So I am opposed to these amendments aiming at a definition of the word goonda.

Babu NITYADHON MUKHERJEE: I rise to oppose this amendment. If the amendment is accepted as has been pointed out by Babu Surendra Nath Mallik this will be repetition of the provisions of section 110 of the Criminal Procedure Code. Rai Harendranath Chaudhuri has omitted one clause, viz., clause (*c*) of this section which says "habitually commits or attempts to commit or abets the commission of, offences involving a breach of the peace. When the word "hurt" is

added after "habitually commits" in clause (*d*) of his amendment, I submit that 75 per cent. of the young men going to schools and colleges will become liable under this Act for habitually hurting or attempting to do so. A young man may give a slap or a fist to another and if he does so on a few occasions he will be said to be habitually committing these offences and will thus be liable under this Act. So, if a resident of Calcutta or its neighbourhood cuts a tree or breaks a wall of his neighbour he will be liable under this section for habitually committing mischief. I do not understand what is meant by this. Rai Harendranath Chaudhuri has inserted clause (*c*) which says "is so desptrate and dangerous as to render his being at large without security hazardous to the community." I do not think that it is ever intended by Rai Harendranath Chaudhuri that this Act is to be used for taking security.

Then we come to the definition suggested by Babu Jatindra Nath Basu. He has stated—one who habitually protects or harbours robbers or thieves and one who habitually commits extortion and these are bailable offences under the provisions of sections 216A and 304 of the Code of Criminal Procedure. I think the clause which will make a goonda liable under this Act is clause 3, which says—

> Any person is a goonda who commits or abets the commission or is about to commit or is assisting or abetting the commission of a non-bailable offence against person and property.

Therefore, a man must be first accused of a non-bailable offence against person and property before action under this Act can be taken against him. But the amendments suggested by Babu Jatindra Nath Basu and Rai Harendranath Chaudhuri include persons accused of committing even non-bailable offences. There is no doubt that these amendments have been suggested to protect innocent people from the abuse of power by the police, but if these amendments are accepted, in that case the Act will include persons whom it was not the intention of the Government to include. Consequently the insertion of the amendments will do more harm than good to the public.

Mr. S. R. DAS: I rise to oppose the amendment. But before I do so, may I, with your permission, correct a statement made by Babu Surendra Nath Mallik upon the last occasion. I desire to point out, Sir, that I am here as a non-official member and not as the Advocate-General of Bengal.

Babu SURENDRA NATH MALLIK: I beg his pardon, but I thought that he was Advocate-General, day and night, wherever he was.

Mr. PRESIDENT: He is Advocate-General, Bengal, everywhere except in the Council.

Mr. S. R. DAS: Let me first take up the amendment of Rai Harendranath Chaudhuri. There are several objections to it. In the first place, as has been referred to by two previous speakers, his amendment has been taken from section 110 of the Criminal Procedure Code. If you have to define a goonda under the definition of section 110, there is so far as I can see, nothing to prevent an offender from applying to the High Court that he should be tried under section 110 and not under this Act; and since this Act does not amount to a repeal of section 110, he has a right to claim that he should be tried under section 110 and not by this special legislation. Section 110, to my mind, contemplates quite a different state of things from the prosecution of goondas.

It has been sought to define a goonda as a person who is habitually a thief: now a habitual thief is not necessarily a goonda. The goonda is rather a man who is connected with acts of violence. But a habitual thief may be a most cowardly person. Then it is suggested that a goonda includes one who habitually protects or harbours robbers or thieves or aids in the concealment or disposal of stolen property. If a man does all these, it does not necessarily mean that he is a goonda. He may be a most respectable man and a harmless thief so far as appearances go. Again, the receiver of stolen property can hardly be called a goonda, at least it does not follow that he is one. When you pass a special legislation like this you must keep that distinct from the case of persons who come under section 110 of the Criminal Procedure Code. There is another objection to the word "habitual." Perhaps my friends do not understand the real significance of the word. Let me give an instance. While we were considering this very matter, one day a house in the southern part of this town was surrounded by the police who arrested six or eight goondas who were living there with the durwan. They were all found to be in possession of revolvers. As a matter of fact they had arrived here the evening before from Bombay and on receipt of information the police had arrested them with revolvers in their possession. It would have been impossible to prove that they were habitually goondas. You will often find men prowling about the streets attempting to stab people. You cannot trace any evidence of their habitually stabbing people. Nevertheless they are goondas all the same. That is why the definition of section 110 must be kept out in defining a goonda. Now, Sir, turning to the amendment of Babu Indu Bhushan Dutta, may I point out to him that his definition of goonda is almost as vague as that put in the Bill? This definition is almost as vague as that in the Bill, because the definition says that a goonda is a person of desperate and dangerous character whose being at large is hazardous to the community. "Desperate and dangerous character" that is a comparative term; a man may not be a desperate or a dangerous character in my opinion, but he may be one in the opinion of Mr. Dutta; again, he may not be a desperate or dangerous

character, but may cause such a breach of the peace as to alarm the inhabitants or section of inhabitants of Calcutta. I think the object with which Babu Indu Bhushan Dutta has introduced this amendment is really carried out in the Bill itself, because if you look at section 3 you will find that a man who is alleged to be a goonda, cannot merely by calling him a goonda, be brought under this Act. It does not depend on the definition of goonda at all. He has got to be a goonda, then he has got to be a person who is committing or has committed or is about to commit a non-bailable offence against person or property or an offence of criminal intimidation or an offence involving a breach of the peace. That is not enough. Even if he is about to commit a non-bailable offence, that is not sufficient to bring him under this Act; you have got to show that he is a desperate and dangerous character, or abount to cause an alarm to a section of the people of the locality. It is only when he comes under these circumstances, that he can come under this Act, and I think if my friend will consider it, he will agree that if a man can be shown to be guilty of all this, he is just as bad a character as a man who is a dangerous and desperate character. It is extremely dangerous to define the term goonda; it is extremely difficult to get a satisfactory definition and all definitions must be more or less vague. If you keep this definition, you re merely giving to this Bill a meaning which it is not intended to convey.

Rai JOGENDRA CHUNDER GHOSE Bahadur: This matter is one of some difficulty. The amendments proposed by Babu Indu Bhushan Dutta or Rai Harendranath Chaudhuri or Babu Jatindra Nath Basu cannot be admitted for the reason that they cover the grounds of section 110 of the Criminal Procedure Code and Babu Surendra Nath Mallik was right when he said "if you define a goonda as in these amendments, you take away a valuable right from the subjects—the right of appeal for revision to the High Court and the like." That being so, the person against whom the provisions of this Act would be sought to be applied, should be a person whose criminality should be greater than the criminality of persons coming under section 110 of the Criminal Procedure Code. I suppose that is as clear as it can be. That being so, let us see whether the definition, as given in the Bill, is sufficient. The Bill says a "goonda includes a hooligan or other rough." Now a hooligan means a member of a gang or body of persons addicted to crimes of violence. This I can admit; but when we go to the next "or other rough," that is inadmissible. A rough means in the dictionary a rude, rowdy fellow, that is, a person who cannot come under this definition. He is a person who is not as criminal as one against whom the provisions of section 110 of the Criminal Procedure Code can be applied. Therefore, it should be clearly understood that the provisions of this Act should apply only to persons whose criminality of conduct is greater than persons who come under section 110 of the Criminal Procedure Code.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: I am very pleased to support this amendment and for very grave reasons, because during my experience of labour unrest and strikes, I know that people who take a leading part in strikes are generally known as strike-leaders and badmashes who should be got rid of. I will give you an instance. Not long ago during the strike in the dock area of stevedores' coolies, one man living in Matiabruz was considered to be a regular badmash. The police were after his blood, and the police approached the magistrate to find out whether the man could be *challaned*. They thought that section 110 of the Criminal Procedure Code would be suitable for the purpose, but the magistrate did not agree. Now this Act is being brought in, what will be the fate of this man? Under this Act you are not defining a goonda, and I do not know whether in any criminal Act in any part of the world persons considered to be offenders are not defined. I have the assurance of the Advocate-General or any other legal luminary that it cannot be done. Well, I am not sure about that, but I think the legal brains have not been sufficiently exercised in finding out a suitable definition. Strike leaders are always considered to be intimidators, but no strike can be a success without intimidation, without picketing, and so on. Now, what will be the fate of these men; section 110 of the Criminal Procedure Code is not suitable; he is not by habit a robber, house-breaker or thief, he is not a habitual offender, but he intimidate, and, according to the police, intimidation will come under the Goondas Act, for he is causing an uproar and upsets the whole of the industrial population of the locality. So what I want to know is, not that I want to oppose the only definition that is in the Act, but I want an assurance from the Hon'ble the Member in charge that strike-leaders or those people who are connected with industrial unrest will not be dealt under the Goondas Act.

The Hon'ble Mr. H. L. STEPHENSON: The very lucid explanation that we have had from Mr. Das on this amendment and the clauses of the Bill leave me very little to say. Mr. Das has pointed out that the amendments which are taken from the Criminal Procedure Code are practically impossible. I may note in passing that there is one omission from this wholesale borrowing from the Criminal Procedure Code; the provision that habit may be proved by repute has been omitted, and it is not at all clear how the habit is to be proved. I think it is unnecessary for me to labour the point further with regard to the amendments of Rai Harendranath Chaudhuri and Babu Jatindra Nath Basu.

As regards the amendment of Babu Indu Bhushan Dutta, Mr. Das has also shown that the intention is really effected under the provisions of the Bill. There is a further small point; if a man is so desperate and dangerous that his being at large is a danger to the community, have we any right to turn him loose outside the province? The fact is that nothing hinges on the definition of the word goonda; if we had been

able to find a definition, we would have been glad to do so. We all know what a goonda is though probably no two people will altogether agree as to the precise definition; but we all know what he is, and the two Judges will also know what he is. But the real definition of the man who is to be dealt with under this Act comes under section 3, and the Select Committee have endeavoured to frame section 3 so that it may not include any man who we know is not a goonda.

The amendment standing in the name of Babu Indu Bhushan Dutta was then put and lost.

The amendment standing in the name of Rai Harendranath Chaudhuri was then put and lost.

The amendment standing in the name of Babu Jatindra Nath Basu was then put and lost.

Mr. AJOY CHUNDER DUTT: I move that clause 2(*d*) be omitted.

[At this stage the Hon'ble the President left the Council and the Deputy-President took the Chair.]

Members will see that the expression of "neighbourhood of Calcutta" has been defined in this particular clause. I desire to bring to the notice of the members of this Council that in the Bill which was first introduced before this Council, the words used were "town and suburbs," or in other words, the scope of the Bill was limited to the town and suburbs of Calcutta. For some reason or other, the scope of the Bill has now been extended to the neighbourhood of Calcutta, which roughly comprises the three adjoining districts of the 24-Parganas, Howrah, and Hooghly. I was not present here when the Hon'ble the Member in charge introduced the Bill, but I have very carefully read the speech delivered by him on that occasion. He insisted, and I think rightly insisted, that goondaism was a crime peculiar to Calcutta and that legislation for its eradication was necessary. I have also read his speech very carefully when he moved for leave to refer the Bill to a Select Committee. On that occasion also he insisted that goondaism was peculiar to Calcutta and that this legislation was necessary to eradicate the evil from Calcutta. Then, again, the Statement of Objects and Reasons, which is in the hands of every member of this Council, shows that goondaism is an evil peculiar to Calcutta. No reference at all is made in the Statement of Objects and Reasons to the advisability of extending the scope of the Bill to the neighbouring area. Opinions were sought from fourteen representative bodies in Calcutta with reference to the provisions of the Bill. I have gone very carefully through all these opinions, and so far as I have been able to gather, there is not a single representative body which advocates the extension of the Bill to the surrounding areas. Even the Bengal Chamber of Commerce which approved of this Bill did not advocate its extension to the surrounding areas. In these circumstances, may I ask why a change

has been made, and the scope of the Bill been extended to the three districts adjoining Calcutta? I wish to point out to the members of this Council that there is considerable danger in extending the operation of the Bill to these areas, especially when we have not heard that goondaism as an evil does exist outside Calcutta to such an extent as to demand legislative interference. I do not know whether the opinions of the representative bodies of these localities were sought; I do not know even if the opinions of the District Magistrates of Howrah, the 24-Parganas, and Hooghly were taken; and I do not know whether the opinions of the members who represent these areas in this Council were taken, before this alteration was made. Now, in these circumstances, when there is no demand for such an extension, why is it sought to enlarge the operation of the Bill? I know that goondaism exists to a very great extent in Barabazar. Is it suggested that the goondas, when driven out of Calcutta will take shelter in Howrah or Hooghly? That cannot be, because by this Act you are empowered to send them out of the province or out of the Presidency area as mentioned in the Bill; so it is impossible for them to take shelter in Howrah or any other industrial area. I would point out that there would be considerable hardship in extending this Bill to the neighbouring area. I think I may take it that this Bill is not meant to operate against strikers. I am not a labour member and I cannot say that I have much sympathy with labour movements. But I think it has been decided by courts of law in England that strikers are perfectly legitimate and legal methods for the purpose of redressing the grievances of the communities concerned. Now, strikes are of two kinds. Certain strikes are engineered by men other than those who are aggrieved, and there are strikes which are genuine labour strikes. There is a great danger of this Bill being made to operate against genuine strikers. As the Bill stands, I do not see there is any safeguard against its being applied against strikers. If there is a strike in a mill in the neighbourhood of Calcutta, naturally the manager of the mill will approach the District Magistrate for action under this Act. Therefore, it is extremely undesirable that this Bill should be extended to the surrounding areas.

Then, again, this Bill strikes at the root of the elementary principle of law that a person is entitled to have a fair trial before being punished. We must see that these enormous powers which are conferred upon the police are not abused. In Calcutta there exists a very powerful public opinion which, we hope, will act as a check against the abuse of these powers by the Calcutta police, but is there such a public opinion in the areas where the Bill is sought to be extended? There is none. There the police is the *malik*, and consequently there is a great chance of these enormous powers being abused, and I think they will be abused, unless some safeguards are added for the protection of the people living in these areas.

Babu NITYA DHON MUKHERJEE: I rise to oppose this motion. I do not know what has induced my friend to bring this amendment before this Council. I am a member from the town of Howrah, and I, as a representative of Howrah in this Council, want to extend this Bill to Howrah. My friend's contention is that this extension will not be necessary, because these men will be asked to return to their homes, but these people, I mean the goondas, are as much intelligent as any other people in the world, if not more. Just now, we have heard from the Hon'ble Mr. Stephenson, that they have already been inquiring as to what will be their fate after the Act is passed. It is pretty certain that before any action can be taken, they will go to Howrah, and you may well imagine the difficulties the people of Howrah will be put to. Therefore, it is highly desirable that the Bill should be extended to Howrah. There cannot be any doubt that before any action is taken against the goondas after the passing of this Act, they will leave Calcutta and will go to Howrah and their activities there without the least chance of detection. I trust my friend does not want us to be oppressed by the goondas, whilst the Calcutta people would be saved from these evils.

Rai HARENDRANATH CHAUDHURI: I rise to oppose this amendment. I am one of those persons who suggested to the Hon'ble the Member in charge that if the Government be determined to pass the Bill and if this Bill is at all passed including the suburbs, then the adjacent areas should also be included in the local extent of the Bill. I happen to live quite close to Calcutta, although not in that area which technically comes under the term "suburbs." The Member in charge while introducing the Bill said that goondaism when it is tackled seriously in the heart of the city develops in the outlying areas. If that be the experience, I feel there is some necessity of including these areas in the Bill. It will be a futile attempt indeed to get rid of the evil if th goondas are simply driven out of the town and allowed to inhabit the adjacent areas within easy reach of Calcutta and it will be a bad policy also to try to secure the safety of the city at the expense of the surrounding areas. We all know that goondaism prevails as much in the suburbs of Calcutta as in the mill areas and I do not know what there is to distinguish the suburbs from the adjacent areas, which are included in the definition of the "neighbourhood of Calcutta."

With these words, I oppose the amendment of Mr. Ajoy Chunder Dutt.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: The grounds for supporting the amendment have already been covered by Mr. Dutt, but I would like to reply to my friend, Babu Nitya Dhon Mukherjee of Howrah, because he is very much alarmed that Howrah will be a dumping ground for the goondas. Pray, may I ask him if Howrah is such

a rich place, such a very suitable place for looting that the goondas will select it after being expelled from Calcutta? We all know that Howrah is a very poor place, inhabited mainly by coolies and poor people employed in the mill areas, who do not even pay an income tax. One thing my friend has forgotten and that is that Howrah has got a lot of mills. What he really wants is to have some sort of weapon to use against the people who agitate in those areas. If that is so, certainly he ought to have spoken out, and stated this fact. Looking at this clause every police-station in Mill area has been covered by this section. All these stations mentioned in 2(*d*) (*a*) cover a good many mills and what I want is an assurance from the Hon'ble the Member in charge that the people of this area who are interested in strikes, and include leaders of strikes, may not be brought under this Bill which may be utilized to punish or coerce or terrorize or deprive them of their liberty. Looking at this clause 2(*d*) (*a*) I find that within this clause are included police-stations which cover mill areas. Baranagore is a mill area. Nawapara is another—Titagarh, Khardah, Budge-Budge are all mill areas. Sir, I want an assurance from the Hon'ble the Member in charge of the Bill that this Act will not be used in these mill areas to break strikes and to deprive strike-leaders of their liberty. It has been recognized that without strikes, labourers cannot improve their position and so nothing should be done under this Act to interfere with strikes and strike-leaders. I apprehend from the definition of goondas in the Bill that this Act will be used in mill areas to break strikes, but, Sir, I may remind the Hon'ble the Member that goondas are only found in places where there is a much hoarded wealth. Is there any excess of wealth in mill areas? The poor labourers live there, draw their wages and the only rich men who live there are the labour contractors who make money out of these poor labourers. Surely, the members of the Select Committee ought to have restricted the operation of the Act to Calcutta only. I, therefore, support this amendment.

Rai Dr. HARIDHAN DUTT Bahadur: I am really surprised to hear the reasons offered in support of Mr. Dutt's amendment by my friend, the Labour member. My friend, Mr. Ajoy Chunder Dutt, moved his amendment for quite another purpose and my friend, the Labour member, has supported it thinking that this clause could be applied against labour strikes. I would point out that if Calcutta is to be freed from goondaism, is he not anxious that all these places where the poor labourers live should also be freed from goondaism? It is the poor people who are more oppressed by the goondas.

Another thing I cannot understand, coming as it does from my learned friend, Mr. Ajoy Chunder Dutta. I am almost bewildered when he says that goondas will be driven out of the province and so the neighbourhood of Calcutta will not be affected. But does he forget

that there is a possibility of goondas sheltering themselves in the outskirts of the city before the police can take action under this Act; and it will be no wonder if one evening the people of Calcutta are affected by the goondas from Howrah. In these days of swift motor-cars it takes only three or four minutes to cross the bridge, come to Calcutta, finish their depredations and then go back to Howrah. Therefore, to ensure the safety of the city we must also ensure the safety of the suburbs; and it is a very desirable measure to include the neighbourhood of Calcutta within the operations of this Act. The Select Committee has taken a very wise course in the matter and we fully endorse their action.

Babu SURENDRA NATH MALLIK: I am sorry to find that my friend, Mr. Ajoy Chunder Dutt, is labouring under a misapprehension when he thinks that the goondas are a solid masonry mass of brick and stone located somewhere in Barabazar. That seems to be his idea. But I can assure him that goondas can move about and the whole idea is to confine them within a cordon, as it were., in order to make it extremely difficult for these people to come into Calcutta for the purpose of making depredations. We thought in the Select Committee that Calcutta should be taken as the centre with a radius of 10, 12 or 15 miles in the neighbourhood. But then we thought that, owing to the present situation of Calcutta we should include within the radius of that part of the 24-Parganas which was within the immediate neighbourhood of Calcutta so that goondas might be kept out of those places in order that Calcutta might be safe from their depredations.

The question raised by the Labour member is quite beside the point and you will find that the thanas or police-stations mentioned in the sub-clause are not all located in mill areas; for instance, Tollygunge is not a mill area. Behala is not a mill area, Matiabruz is not a mill area, Bally is not a mill area. [A voice: But Lillooah?] I am talking of Bally only which is not a mill area. Lillooah is quite a different place, and if my friend does not know the difference between Bally and Lillooah, I am sorry for him.

We have chosen this area for inclusion in order to make Calcutta safe from the depredations of goondas. I am surprised to hear that people in the neighbourhood of Calcutta are so poor that the goondas will not find it profitable to live there. Anybody who knows Howrah knows that there are rich people living there and that crimes against persons and property by goondas also take place there very frequently. These facts are known to us all. Therefore, I do not see that there is any point in the Labour member's contention not to include these areas. We are trying to make Calcutta and its neighbourhood safe and we thought that this was the best way we could do it. It is no use taking an isolated piece out of the Bill and ask us to throw it out. That will not do. Look at the Bill as one whole. Look at the purpose for which

this Bill has been brought into existence. Look at Calcutta and its immediate neighbourhood and you cannot but see that this is the best solution of the problem. Therefore, if you want to allay the anxiety of the people of Calcutta and its neighbourhood and if you want them to be safe from goondas, I would ask you to give effect to this Bill as a whole. I, therefore, oppose the amendment.

[At this stage the Hon'ble the President returned to the Chamber and took the Chair.]

The Hon'ble Mr. H. L. STEPHENSON: It is quite true that when the Bill was introduced it was confined to Calcutta and its suburbs. But I think it is not true that no indication was given of the reasons why it was extended. The Select Committee's report gives an account. I gave an account myself in introducing the Select Committee's report and I think the debate in the Council on the last occasion gave the reasons perfectly and clearly. I do not think that I misinterpreted the wishes of the House on that occasion. Certainly they seemed to me to express perfectly clearly a wish that this Bill should not be allowed to inflict an intolerable hardship on the people of Howrah and the neighbouring areas. It is not merely a question of rich people being oppressed by goondas, the small shop-keepers in Howrah have as much right to be protected as those in Calcutta. Mr. Mallik has explained clearly the intention of the Select Committee in extending the scope of the Bill. The only argument that has been put forward in favour of this amendment is the shadowy one that the provision is aimed at strikers. As regards that, it has been made perfectly clear from the beginning what this Bill is aiming at. The Select Committee has put into it as many safeguards as they possibly could. If after this any hon'ble member is so distrustful of Government that they wish to hedge it round still more, I can only say what one member has already said this morning—it is better not to pass this Bill at all.

The motion was then put and lost.

The Hon'ble Mr. H. L. STEPHENSON: I move that in clause 2(*4*) (*a*), after the word "Nawapara" the word "Barrackpore" be inserted, and after the word "Matiabruz" the word "Maheshtolla" be inserted.

The thanas mentioned in this clause of the Bill were taken from a list given to the Select Committee by the Deputy Inspector-General of Crime as being the areas which would carry out the Select Committee's wish. After the Select Committee's report was published, the Collector of the 24-Parganas brought it to our notice that these two particular areas have been omitted. It is not an extension of the enclave but these two areas are in the middle of this enclave and the omission of these two areas would mean that they would become the residence of

goondas from all round. The amendment that I am moving is not absolutely necessary because the clause, as it stands, gives Government power to extend the Act to them by notification, but inasmuch as it would certainly be proposed to extend it to these areas at once, I thought it was only right to include them in the original Bill and place the proposal before the Council. I therefore move this amendment.

The motion was put and agreed to.

Mr. PRESIDENT: The question is that clause 2, as amended stand part of the Bill.

The motion was put and agreed to.

CLAUSE 3.

Mr. PRESIDENT: The question is that clause 3 stand part of the Bill.

Babu JATINDRA NATH BASU: I move that—

" (*i*) in line 2 of clause (*3*) (*1*), after the word ' Police ' the following be inserted, namely:—

' on an inquiry held by himself or by a Deputy Commissioner of Police ' ;

(*ii*) the brackets and figure (*i*) in line 11 of clause 3(*1*) be omitted;

(*iii*) for the word ' or ' at the end of clause 3(*1*) (*i*), the word ' and ' be substituted;

(*iv*) clause 3(*1*) (*ii*) and clause 3(*1*) (*iii*) be re-numbered as 3(*1*) (*i*) and 3(*1*) (*ii*) respectively."

My first amendment is only to lay down statutory rules for the guidance of the Commissioner of Police, Calcutta, otherwise it may happen that the Commissioner may delegate his function to some head constable or to some inspector or other police officer.

Mr. S. R. Das: On a point of order, Sir, the amendment moved by my hon'ble friend is quite different from that printed in the List of Business.

Mr. PRESIDENT: It is a misprint and the Secretary has circulated a corrigendum.

Babu JATINDRA NATH BASU: If no such rule is laid down under the Act, the inquiry may be entrusted to a subordinate officer of the Police and the Commissioner may take action on the basis of such inquiry. Having regard to the nature of the Bill, I want to provide against this by having the inquiry made either by the Commissioner

himself or by a Deputy Commissioner. That is to say I want that the inquiry should be made by a responsible officer of the police. That is my first amendment.

The second part of my amendment relates to offences which can be dealt with under the existing law and there is no reason why there should be any overlapping. The offences of criminal intimidation and breach of the peace are the two main offences against which this Act is intended to provide and not against offences against person or property which can be dealt with under the ordinary law. Hence my amendment.

Mr. S. R. DAS: I oppose this amendment. I do think that my hon'ble friend has not really understood this clause. As a matter of fact the words "against person or property" were not originally in the Bill. They were introduced in the Select Committee with the specific object of excluding merely political convicts, that is, those persons who were merely guilty of political offences unaccompanied by violence of some kind or other and if this is withdrawn you take away the only real safeguard we have in this Bill regarding political offences. My hon'ble friend apprehends that if we have this clause retained, it would overlap the provisions of the Criminal Procedure Code. I do not think there need be any apprehension of that kind, because a person who is guilty merely of a non-bailable offence against person and property cannot under any circumstances be brought under this Act. He will be proceeded against under the Criminal Procedure Code. It is only when he commits an offence against person and property and is also a person who is dangerous or likely to cause danger to the inhabitants of a locality and at the same time who is, what is generally termed, a goonda, that he comes under this Act, and if he does come under this Act, he cannot be prosecuted under the Criminal Procedure Code merely because he has committed a non-bailable offence under the Criminal Procedure Code. I think after what I have said, my hon'ble friend will see his way to withdraw his amendment.

Babu NITYA DHON MUKHERJEE: I was under the impression that the first part of the amendment was moved because the mover wanted to have a more clear definition of "goonda." If his proposed definition had been accepted then of course this amendment would have been necessary. But I do not quite understand why this amendment should be moved when his previous amendment had not been accepted. It has no meaning at all without the previous amendment. This, as I have already said, is the most important point in the whole enactment. It is a safeguard in regard to offences against person and property and if you take away this safeguard what is the good of having this law?

As regards the second part of the amendment, I would submit that under the proposed amendment a person must not only commit an offence of criminal intimidation but must also commit an offence involving a breach of the peace before he can be proceeded against under this law. But that is not the object of the Bill, which will have no meaning if this amendment is accepted. I therefore oppose the amendment.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: It strikes me that my hon'ble friend has made a mess of the whole thing by suggesting the deletion of non-bailable offences as being triable under the Criminal Procedure Code. But at the same time he wants to retain offences of criminal intimidation and of breaches of the peace. Are not these also triable under the ordinary law? For that reason, I do not see why sub-clause (*i*) should be deleted. Mr. Das has also shown good reasons why this clause should be retained. It is a safeguard against misapplication of the Act against political offenders. For these reasons, I would request my hon'ble friend to withdraw his amendment.

Babu JATINDRA NATH BASU: I——

Mr. PRESIDENT: Are you asking for leave to withdraw your amendment?

Babu JATINDRA NATH BASU: I would like the first part to be put and the second part withdrawn.

The Hon'ble Mr. H. L. STEPHENSON: I would confine myself to the first part of the mover's amendment which requires that the inquiry should be held either by the Commissioner himself or by the Deputy Commissioner. I think this involves some misapprehension as to what actually will take place. Does the member wish the Commissioner of Police himself to go down into Burrabazar to make inquiry? That would obviously be wasting the valuable time of a highly paid public officer. What actually will take place is this. I have myself seen some of the records which—I will confide to the Council in strict secrecy—have already been prepared. The first record I took up consisted of the records of 15 previous convictions in the course of the last nine years. It consisted also of records of thana diaries and statements of complainants and various specific cases. The second record I took up was of a large number of convictions in 20 years with the same references to complaints made at the thanas, references to the thana diaries and reference to actual inquiry into cases. That is the kind of record which is to be examined. It is not a case of going round in the ordinary way and asking the neighbours what they think about a man. That kind of thing is impossible in Calcutta. What we have to rely upon is positive, definite convictions for criminal offences and that is the sort of inquiry which will be held. The sort of inquiry which the

member contemplates will have no place in those records. Inquiries made whether by the Deputy Commissioner of Police or by a head constable will be very little use to the Judges if they only consist of inquiries on the spot, because people will not give any evidence if you go out making inquiries in this way. What we have got to rely on is the previous record of the man as shown in judgments, in recorded evidence and in recorded confessions. I think that this amendment is based on a misapprehension, and will, if carried, cause a certain amount of inconvenience. I would, therefore, ask the member to withdraw it.

Babu JATINDRA NATH BASU: After what has been stated by the Hon'ble the Member in charge, I see the difficulty that will happen if the amendment is carried. I, therefore, beg leave to withdraw it.

The motion was then, by leave of the Council, withdrawn.

Raja MANILOLL SINGH ROY: I move that in clause 3(1) (a), line 2, after the word "goondas" the following be inserted, namely:—

"or harbours any such person or persons."

It needs no speech to explain why I want to include the people who harbour goondas. It is a known fact that there are such people in Calcutta and they are rich men and it is they who try to shelter the goondas from the clutches of the law, and, consequently, they are more dangerous to society than the goondas themselves. It is generally believed that if these people who harbour goondas are removed, goondaism would be checked. It is these people who have baffled the provisions of the present laws, against the goondas in various ways. So I think, Sir, that for obvious reasons the activities of these people should first be checked, if we are really anxious to stamp out goondaism or curb it to any extent.

Maulvi EKRAMUL HUQ: I am afraid that if Raja Maniloll Singh Roy's amendment is accepted it would mean that we push timidity to the extreme. To my mind it might happen that persons who give shelter to the goondas might do so quite unknowingly. If a goonda happens to go to a particular person and asks for food or shelter, it is quite likely that he will get them from that person, for the people of Bengal, like other people in India, are hospitable people. To make such a man liable to be hauled up before a court of law is a proposition which seems to be monstrous, and I do not think that such a provision should find a place in the Bill that is going to be passed. I therefore oppose the amendment.

The Hon'ble Mr. H. L. STEPHENSON: This proposal was considered by the Select Committee. It is perfectly true, as the Raja Sahib says, that the men whom we want to get at are not merely the tools but the men who live on the crimes of those tools. But as the last speaker has pointed out, we felt that bringing in harbourers in so many

words was perhaps a little dangerous, as the word "harbour" might have a wide meaning. We are also advised that the man whom we all wish to get at really for all practical purposes comes under the term "goonda" or a member of a gang or body of goondas, and if he is committing or has committed or is about to commit or is assisting or abetting the commission of these offences, he can be treated under the Act, and I think that without giving the dangerous extension to which the last speaker objected, the Bill, as it stands, will enable us to deal with these classes of people whom the Raja Sahib has in mind.

Raja MANILOLL SINGH ROY: I beg leave of the Council to withdraw my amendment.

The motion was then, by leave of the Council, withdrawn.

Rai HARENDRANATH CHAUDHURI: It has been pointed out to me that sub-clause (*2*) to clause 3 covers my amendment and that my object will be fully served by sub-clause (*2*). In that case I beg leave to withdraw my amendment.

The following amendment was then, by leave of the Council, withdrawn:—

That after the word "Calcutta" in clause 3(*1*)(*c*), the following be added, namely:—

"or the neighbourhood of Calcutta."

The following amendment standing in the name of Rai Mahendra Chandra Mitra Bahadur was, in the absence of the member, deemed to be withdrawn:—

"That to clause 3(*1*)(*iii*), after the word 'peace' the words 'or the disturbance of the public tranquillity,' be added."

Raja MANILOLL SINGH ROY: I move that in clause 3(*1*), line 17, after the word "Calcutta" the following be inserted, namely:—

"or to any person or persons within Calcutta and the neighbourhood of Calcutta as defined in the Act."

As a layman I am naturally anxious that by a clever interpretation or rather misinterpretation of this clause a goonda may not escape when a non-inhabitant of Calcutta is the victim. I think the language of this clause is not sufficiently clear, and definite to the point. It is notorious that it is the mufassal people who, while they are on a visit to Calcutta and are out sight-seeing or making purchases, fall more easy victims to the goondas than the inhabitants of the city who are quite familiar with the ways of the town. Then, the villagers may be molested in a quiet corner of the town without causing any alarm to the inhabitants or to any section of the inhabitants of Calcutta, and for such cases, I think, we should be prepared. As a representative of a mufassal constituency I considered it my duty to try to see to the

safety of the mufassal people through this Bill, so I move the amendment and I hope it will be accepted.

Rai Dr. HARIDHAN DUTT Bahadur: I do not know what the exact dictionary meaning of the word "inhabitant" is. If the word excludes the temporary sojourners in the city, then I have great sympathy for what the Raja Sahib has said, but I understand the word includes anybody who will be within the purview of the city for the time being and as such he must be considered an inhabitants of Calcutta. If I am wrong, I hope the Hon'ble the Member will correct me.

The Hon'ble Mr. H. L. STEPHENSON: We have every sympathy with the Raja Sahib's anxiety to save visitors to Calcutta from the attacks to which they are particularly liable. We considered this matter in Select Committee and we came to the conclusion that the word "inhabitants" would cover a certain number of the people for whom the Raja Sahib has a care, but that it would not cover the people who came in during the day. But we felt that no one could possibly hold that attacks on people in the streets of Calcutta whether they were residents of Burdwan or Rajshahi or of Calcutta itself could fail to cause alarm to the other people of Calcutta. The essential fact is not where the victims come from, but what the effect of the outrage on the people will be, and I think it is quite clear that any outrage on a casual visitor to Calcutta will be covered by this section, because it will be a danger to, or cause, or be likely to cause, alarm to, the inhabitants of Calcutta. I therefore think that this amendment is not really necessary.

Raja MANILOLL SINGH ROY: I am quite satisfied: my point is gained, and I beg leave to withdraw my amendment.

The motion was then, by leave of the Council, withdrawn.

The following amendment standing in the name of Mr. Ajoy Chunder Dutt was, in the absence of the member, deemed to be withdrawn:—

"That clause 3(*2*) be omitted."

The Hon'ble Mr. H. L. STEPHENSON: I move that in clause 3(*2*), line 17, after the word "inhabitants" the words "or to any section of the inhabitants" be added. This is merely a drafting amendment which bring clause (*2*) into line with the phraseology of clause (*1*). The purport of my amendment is merely to bring the inhabitants outside Calcutta on the same lines as those inside Calcutta.

The motion was put and agreed to.

Rai Dr. HARIDHAN DUTT Bahadur: I move that at the end of clause 3 the following be added, namely:—

"Provided that nothing in this section shall apply to any political offence."

There is an apprehension outside this House, or I may say even inside this House, that the provisions of the Bill may be applied to "political offenders." My friend, Babu Indu Bhushan Dutta, only an hour ago has given us his suspicion or his doubts as to whether the police will not take advantage of this Bill and apply it to political offenders. We know that this is unfounded and the Select Committee have assured us that "this is not the intention of the Bill." That being the position, I find that there will be no harm if it be explicitly mentioned that the Bill shall not apply to any political offence. Hundreds of young men—non-co-operators—have been hauled up by the police on various charges of criminal intimidation or an offence involving a breach of the peace. A young man holding strong political views may appear to an overzealous police officer as a "rough" and if it be attributed that he has committed "criminal intimidation" by asking a shopkeeper not to deal with *belati* clothes, the overzealous police officer might go beyond what is proper and might at times be tempted to take action under this Bill. So, personally, I am disposed to think that Government will be well advised to put it clearly down that nothing in this Bill shall apply to political offenders.

Mr. AJOY CHUNDER DUTT: I move that at the end of clause 3 the following be added, namely:—

> "Provided that this section shall not apply to any person who, having taken part in a political or labour movement, commits or is about to commit an act specified in this section in connection with, and in the course of, such a movement."

After what has been stated by Rai Dr. Haridhan Dutt Bahadur it is not necessary for me to say very much. I only desire to draw the attention of members to one particular fact. The political offender commits an offence not for his own personal benefit. The ordinary criminal commits an offence generally for his own aggrandisement. There is, therefore, not that moral obliquity attaching to political offences which attaches to ordinary offences. Persons committing political offences can be dealt with under the ordinary law and the ordinary law is quite adequate. I am apprehensive that unless such a provision is included, legitimate political movements may be scotched by the operation of this particular Bill. Then, one word, Sir, with reference to labour movements. As I said, there has arisen a new situation in India. There is at present a labour movement which did not exist, say about 20 years ago. Now strikes, which are the manifestation of this movement, may be of two kinds: strikes which are fomented by political agitators, and strikes which are genuine; in other words which are resorted to by a particular community for the purpose of having its grievances redressed. Now, Sir, you are going to extend this Bill to the neighbouring area of Calcutta. There are a large number of mills

in this area and consequently there is a danger of the provisions of this Bill being utilized for the purpose of stifling genuine labour movements. For these reasons, Sir, I earnestly hope that the proviso in the words I have suggested here will be accepted by the House.

Here the Council adjourned for 15 minutes.

After the adjournment.

Dr. PRAMATHANATH BANERJEA: There are many who apprehend that the provisions of this Bill may, under certain circumstances, be utilized for political purposes, and our unfortunate experience in the past goes far to confirm this apprehension. We all know how some of the provisions of the ordinary criminal law of the land are some times used to punish people who are disliked by the powers that be on political grounds. It should be remembered also in this connection that this Bill is going to find a permanent place on our Statute Book and we all know that very often when an Act becomes old, its original intention is forgotten and it is used for a purpose for which it was never intended. It is absolutely necessary, therefore, in order to prevent any abuse of the Act to exclude specifically all political offences from the Bill. I therefore beg to support this amendment.

Babu INDU BHUSHAN DUTTA: I beg to support whole-heartedly the amendment of Mr. Ajoy Chunder Dutt. I withdrew a similar amendment early in the day, in order to be able to support his amendment, which is more comprehensive than mine. During the last year, our experience about the utilization of the section about the appointment of special constables, section 144 and section 107 of the Criminal Procedure Code has led us to think that when there is a political trouble in the country, Government does not hesitate to apply for political purposes, laws which were never intended to serve any political purpose. If this Bill is given a permanent place in the Statute Book, as it is the intention of the Council to do, all the discussion we are having, all the assurances that we are getting, will be forgotten in the practical application of the Act. In the Act itself, the mere sections will remain and the discussions and assurances will be like a thing of the past. It is, therefore, all the more necessary that a clause should be embodied in the Act, which will definitely prevent the Government from utilizing this Act for stifling political and labour movements. Therefore, I think it is imperatively necessary that this amendment should have a place in the Act.

Babu KISHORI MOHAN CHAUDHURI: I only want to add a few words in support of the amendment proposed. I understand that Government are also anxious that this Bill should not be used against the political offenders. The only difficulty is that it will be difficult to make a distinction. It may be said that in the name of political work

many goondas may come, but section 3 is sufficiently wide to give a discretion to the Commissioner of Police and he shall have to take special care to see that the provisions in the last part of clause 1 are properly given effect to. Under the circumstances I do not think that it will be difficult to make a distinction, and we must depend upon the Commissioner of Police for the exercise of proper discretion. In this view I think it would be better to say clearly that it is not the desire of Government that it should be used against political offenders and they should be protected. In this view without taking much time I support the amendment and I hope Government will accede to our request and make a clear declaration that this Bill will not apply to political offenders.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I beg to support this amendment and my reasons are these. In the first place, there is a widespread misapprehension inside the Council as well as outside it that there is just a chance of this Act being misapplied to political cases and it is desirable that that misapprehension should be removed. It no doubt redounds to the credit of the Select Committee that the Bill has been remodelled and recast very considerably in response to public opinion. At any rate, it is a new Bill altogether, and I think there is no difficulty in removing this misapprehension. It may be said that the Bill itself is sufficient for the purpose because the language of clause 3 precludes any political offender being apprehended under the provisions of this Bill because there it is pointed out that only "person or gang or body about to commit or is assisting or abetting the commission of a non-bailable offence against person or property, etc., etc.," comes within the purview of the Bill. We know how Acts are interpreted elsewhere, in spite of the assurances of the Select Committee in the report that "we are advised that the various suggestions made in favour of exhaustive definitions are based largely on an apprehension that the provisions of the Act may be applied to 'political offenders.' This is not the intention of the Bill." We all know from the opinions of learned Judges sitting on the Benrh that the reports of the Select Committees cannot be referred to in argument, nor are they any guiding principle in interpreting any section of the law, nor have the speeches of hon'ble members in Council any weight in this connection. In view of that fact, to be explicit, to be clear, to be on the safe side, it is well both for the Judge and the Prosecutor that this proviso should be added and this public misapprehension should be removed. Secondly, the amendment proposed by Mr. Dutt is quite in order and is calculated to remove that misapprehension, and so I support this amendment.

Maulvi EKRAMUL HUQ: I rise to support these amendments. The Goondas Bill provides for the safety of ourselves against the acts of the goondas, but I am afraid no provision whatsoever has been made

to provide for our safety against the subordinate official goondas, and so it is necessary that there should be some explicit provision in the Act which should provide against that contingency. It is true that the Hon'ble the Member for Government will say that the Act is never meant to apply to persons about whom safeguards are being proposed by the movers of these amendments, but in addition to our placing full reliance on his words, let there be also something in the Statute itself which will clearly indicate that under no circumstances will Government officials ever move to lay their hands on persons who are not goondas but are connected with labour movements or are political offenders against whom substantive provision in the law of the country is enough.

Rai HARENDRANATH CHAUDHURI: I beg to support the amendment of Mr. Dutt. It has been insinuated—why insinuated?—alleged by the Labour member as well as others in this Council, that the Act has been framed in such a way that it can be used against political offenders and against those who organize labour strikes. If the object of the Government is just to exclude all those persons, as they profess it to be, then I do not see what difficulty there can be in accepting this amendment. It might be said—"Well, if a political offender commits any offence against person or property, why should he not be hauled up just like other people"? Certainly he should be; but there are other laws which you can apply. You can very well deal with him under the ordinary criminal law and that will be the only appropriate course. As a political offender or a strike leader is not primarily and necessarily a goonda, why should you contemplate dealing with him under the Goondas Act? As I do not find any answer to this, I support the amendment.

Babu SURENDRA NATH MALLIK: I am sorry I cannot support this amendment. (Hear, hear.) It has been said "Hear, hear." Attempts to make me shirk my duty will not do. I know these tricks very well, I am long enough in public life not to know them. As a matter of fact, these things were discussed in the Committee. My friends need not think that such a big question like this was not discussed at all. It is all very easy to say that political offenders or any person connected with labour movements, etc., etc., should be excluded from the scope of the Bill, but may I ask my friends—Is there any definition of political offender or political offence?

Rai Dr. HARIDHAN DUTT Bahadur: Is there any definition of goonda?

Babu SURENDRA NATH MALLIK: Well, it has been defined in this Bill—at least an attempt has been made to do this. My friend is a doctor. He had better not try to meddle in these things. He should confine his activities to examining the heart, liver, lungs, spleen, etc.

The fact is where do you draw a line between political offenders and ordinary goondas? Supposing a goonda joins a picketing party, has he got to be let go because he has joined a picketing party? Then, again, if you are going to do this, the result will be that the goondas will join either political parties or labour parties. Is that good for the labour party or the political party? Just think over the matter. Do not get up and suggest this is so and so and if anybody says anything against you he is supporting the Government. There is nothing in that. You want yohr political parties to consist of reputable men. I do it though I may not agree with them in their views. What you say now is that these goondas who, getting into the labour people's clan or the political people's clan, go on committing depredations, should be given immunity because they have got their names registered in some samiti or union. That is the position. Consider that. It is no good being influenced by arguments like that. Nobody is more anxious than myself, nobody can pretend to be more anxious than myself, to see that no political offender or for the matter of that anybody who is merely a political offender should be included in this. It is perfectly true, but then how are we to do it? Is it possible for you to do that? How to draw the line and where to draw the line? Hundreds and thousands of goondas in Burrabazar might join the picketing party of young students; so far as the latter are concerned I can very well personally overlook their faults but not that of the goondas who go there as politicians. As you know in Burrabazar there have been some undesirable people who joined the congress party and who have subsequently been found to be nothing but goondas. Those are not exactly the men for whom you can possibly have any sympathy. Therefore, if it is possible for you to suggest any remedy I can say that you can exclude this class of people. By all means do it, but so long as you cannot do it and so long as you cannot define or you cannot draw a line and say what is a political offence and what is not, and where an offence which takes, as we call it, the nature of a political offence develops into a very dangerous nuisance, so long as we cannot do that I am sure that it would not be to our interest, to the interest of the townspeople, to the interest of the labour members or to the interest of the political bodies (whom we all respect though our views differ widely) that these goondas should be allowed to go and join their activities. Therefore, it is not proper that we should include them and I oppose this amendment.

Mr. S. R. DAS: I oppose this amendment. I think that I am as anxious as even my young friend, Mr. Huseyn Shaheed Suhrawardy, to exclude——

Mr. HUSEYN SHAHEED SUHRAWARDY: I rise to a point of order. I think it has been ruled by you that no member of the House can be addressed by any member, however senior and learned he may be, as a young friend.

Mr. PRESIDENT: There is no need to use the adjective, if an hon'ble member takes objection to it, though I should like it very much myself used against me. (Laughter.)

Mr. S. R. DAS: Being an old man myself, I thought it to be a compliment. However as he objects I will withdraw it.

I am as anxious as my friend, Mr. Huseyn Shaheed Suhrawardy or any one else in this House, to avoid the operations of this Act against purely political offenders, but I am not prepared to exclude, from the operations of this Act, people who are really goondas but for the time being are employed for the purpose of political offences. I ask this House to consider seriously whether they are prepared to exclude from the operations of this Act a goonda merely because he happens to be for the time being engaged in a political movement. If they are, then I admit that some such provisions as the amendment is necessary, but I take it that what my friends really desire is that a person engaged purely in a political movement should not be brought under the operations of this Act. If I am right in that, I challenge anybody to produce any wording which can have that effect apart from what we have done in the Bill itself.

Take the amendment of Mr. Ajoy Chunder Dutt. Supposing a well-known goonda of this town takes part in a political or labour movement, commits or is about to commit an act specified in this section in connection with and in the course of such movement, is he to be excluded from this Act, although he is a goonda?

Mr. HUSEYN SHAHEED SUHRAWARDY: Nobody has suggested that.

Mr. S. R. DAS: My friend says that no one has suggested that. It would just have this effect if you want to pass the amendment. I want you to consider this. Do you want to exclude this law from having any operation against a goonda, provided he has taken part in a political or labour movement, who commits or is about to commit an offence under this section in conection with that movement? The difficulty I have felt always with regard to amendments of this nature is to keep it confined to a pure political offender who is not a goonda, but I say that it is impossible to do that except in the manner in which we have done. I shall proceed to show you that presently. If you can produce words which will exclude from its operations a goonda and will only refer to a political offender who is not a goonda, I am willing to accept that amendment. I am perfectly willing to accept that. The amendment does not do that: that is why I am opposing it. We know that on the last occasion there were a number of Burrabazar goondas who were employed as volunteers to keep up the non-co-operation movement. Should they be excluded from the operations of this Act merely because they took part in a political movement. I know of many instances in

which they took advantage of their position as volunteers to go about and commit depredations. Should they be excluded because they took part in a political movement? Would they—I ask Babu Kishori Mohan Chaudhuri to consider for himself—not be excluded if the amendment is allowed and this section is not to apply " to any person who having taken part in a political or labour movement commits or is about to commit an act specified in this section in connection with and in the course of that movement"? Surely they would be.

Babu KISHORI MOHAN CHAUDHURI: Goondaism can be proceeded against.

Mr. PRESIDENT: Order, order!

Mr. S. R. DAS: I am suggesting and suggesting seriously, that you cannot proceed against a goonda if that goonda is connected with a political movement, if this amendment is carried. That is the reason why I am opposing this amendment.

Now as against this, just consider the Act; that as framed practically excludes all purely political offenders. It does not exclude a political offender who is also a goonda, but it does exclude a purely political offender.

Now look at section 3(*1*). I would ask any member of this House to point out to me how a political offender who does not come within section 3 can possibly come within the operations of this Act, and if he comes within section 3, he is undoubtedly a goonda, and undoubtedly ought to come within the operations of this Act, even if he happens to be a purely political offender, it has to be proved, that he is a goonda. There is no definition of that except that we rely upon the general knowledge just as you do upon the general knowledge as to the meaning of the words " political offender "; but there is some idea conveyed by the word " goonda " in connection with the fact that he has got to commit or is about to commit a non-bailable offence against person or property. I cannot imagine a purely political offender committing a non-bailable offence against person or property. I can imagine that at a congress meeting or at any other political meeting the parties become so heated that they take up the chairs and hit each other, committing an assault, but then they do not thereby commit a non-bailable offence against person or property——

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: Even if one is seriously hurt?

Mr. S. R. DAS: Even if a person is killed while assaulting each other, that is not enough. He has got to do that so as to be a danger to or cause or to be likely to cause alarm to the inhabitants or to any section of the inhabitants of Calcutta. If you can trust one man to

judge whether a certain person is a political offender or not or whether the offence he has committed is a political offence or not, you can surely trust him to judge whether he comes within section 3 or not. It is no good trusting the Commissioner of Police or a Judge or the Local Government to see whether the offence committed by a person comes within section 3 or not and distrusting him as to whether he comes within the definition of the term " political offender " or not. It is the same man that you are trusting. Therefore, my submission to this House is this that the Bill as it has been framed safeguards a purely political offender so far as it is possible to do so. No words can possibly absolutely safeguard any person of that description and even if you carry the amendment, because you distrust the Commissioner of Police or the Local Government, what is there to prevent the Commissioner of Police from deciding that a particular offence is not a political offence? There is no appeal from it. What is there to prevent the Judge to whom it is referred from saying that it is not a political offence? You have got to trust him. Either trust him or do not trust him. If you can trust him to apply the Act, you can trust him to see that it is not applied to a purely political offender.

Another ground has been put forward and that is that in the years to come, people will forget for what reasons this Act was passed and it might later on be applied to political offenders, although at the present moment Government has no intention of applying it against those people. That is quite possible, but there again, unless you are satisfied that the Bill as drawn fairly safeguards a political offender, it is no question of waiting for years to forget this; as soon as the Act is passed it could be applied also against political offenders. It is a question either of your trusting the people whom you have to trust for the carrying out of this Act or not trusting them at all. I ask you seriously to consider before you pass the amendment. If this amendment, as I have said more than once, safeguarded the political offender, without at the same time excluding from its operations a goonda who happens to be involved in a political movement, I would have no objection to the amendment, but so far as I can see—we considered it seriously in the Select Committee—it does not exclude a goonda who happens to be also involved in a particular political movement, and that is why I am opposing this amendment, not because I want to bring in the political offenders. That is not the idea of Government so far as we could make out in the Select Committee and I do not think that it is the idea of any member of this House that this extraordinary Bill should be applied to any political offenders at all.

Mr. HUSEYN SHAHEED SUHRAWARDY: Let me voice a feeling which I hope is entertained by a minority, namely, that the Goondas Bill which has been introduced by the Government in this stage of our political evolution is directed mainly against political offenders. The

agitation against the goondas and against their depredations has been going on for a very long time. Memorials after memorials have been submitted to Government from ages past. It is only now when political agitation has begun to occupy a more prominent place in the politics of this country that this Bill has been thought fit to be introduced by the Government of Bengal. I realize that the Government does not intend or has never intended that this Bill should apply to political offenders, but it is notorious that the memory and the faith of all Governments are short and a promise made by one Government this year is broken quickly by its successor. I ask the Hon'ble the Member whether it is within his knowledge or not that certain sections of the Criminal Procedure Code have been utilized for the purpose of suppressing legitimate political agitation even though the men who were responsible for the Code never for a moment conceived that it might be utilized either by the executive or the judiciary for that purpose. I would request Mr. Surendra Nath Mallik in particular, and the members of the Select Committee in general, not to be oppressed and obsessed by their infallibility or their clarity of vision when they come forward and tell us that because this was discussed by the Select Committee, who ruled it out, therefore, the Council ought to accept their views. But in this particular instance he should bow to the wishes of the majority of the non-official members of this Council, because it is clear, I think, if you consider the responsible members who have spoken, that the majority of the Council leans in favour of this amendment. I ask Mr. Surendra Nath Mallik to consider what is the value of his criticism that this point has been thrown out by the Select Committee because a political offender is not anywhere defined. If he could have defined a goonda, I think, with the desire to exclude a political offender from the operations of this Bill, he could have taken the same pains to define a political offender with the meticulous care with which the term goonda has been defined. I ask him again to consider whether it is not extremely puerile to think that anybody would come forward with a suggestion that because he is a member of the congress party or has his name registered in some samiti or other he should be considered at any time to be a political offender. We do hope that a time will come when the intelligent portion of this country will take an increasing part in politics and that few people will be found who are not members of some political party or another without being political offenders. We are indeed willing to run the risk of having the fair name of a political offender and labour striker besmirched by the association of a few goondas who may happen to creep in or may be employed for the purpose of these strikes or for committing political offences rather than run the danger of having political offenders and legitimate strikers roped in as goondas. I am indeed glad to find that my hon'ble and learned and senior friend, Mr. S. R. Das, is willing, under certain, though somewhat remote, contingencies, to countenance an amendment to the Bill introduced by

Government; but what I would like to tell him is this that the fear that this amendment will exclude goondas is groundless. He talks on the assumption that a person who is roped in is a goonda. If he is a goonda, he can be dealt with by this Bill quite irrespective of the acts that he commits as a political offender. What the amendment points out is this, that you are not to declare him a goonda because he has committed certain acts in connection with strikes. If he is a goonda apart from these strikes, if he is a goonda apart from any part that he may have taken in political agitation, then as a goonda he can be brought under the provisions of this Bill. But because he has taken part in a measure which is contemplated by this Bill, he cannot be made a goonda under the amendment. Mr. Das must know very well that in England certain Acts which are criminal are declared not to be criminal when they are undertaken during the progress of a strike or for the furtherance of a strike. By the Acts of 1906—13 some Acts have been exempted and there is not the least reason why we should not as well extend immunity to these political offenders in the case of similar Acts who may, by a more or less unbalanced Government, be roped in for their own purposes. I do not mean to suggest that when I use that expression, Government, as a rule, is unbalanced, but what I do find is that in the stress of political agitation, it is a matter of the greatest regret that Government cannot see eye to eye either with the people at large or with the representatives of the people in this Council. If Mr. Das is unable to imagine a political offender committing a non-bailable offence against person or property, that is not very surprising. As I pointed out, those men who were responsible for the drafting of the Criminal Procedure Code were also unable to imagine in those days that it could be utilized for purposes of political offence. I fear, I very much fear, that if these amendments are not passed by this Council, the time is not far distant when the provisions of this Bill will be utilized for the purpose of political offenders and non-bailable offences will be created for the purpose of those political offenders in order that they may be brought within the clutches of this Bill. I therefore recommend these amendments most earnestly to this House and I hope that almost all the non-official members of this Council will take courage in both hands and vote for these amendments.

Mr. F. E. E. VILLIERS: The recent speaker, Mr. Suhrawardy, appears to me, by means of a considerable amount of verbiage, to have entirely clouded the issues. What the House has got to bear in mind in dealing with this proposed amendment and what it must keep constantly before it are these two main issues. Does the House believe that the Government honestly intends to apply this Bill for the purpose for which it is framed, namely, for the suppression of goondaism in Calcutta, or does it believe that the Government intend, as soon as the Bill is

passed to utilize it for quite another purpose; namely, the suppression of political activities? That is the first issue.

The second point which the House has got to bear in mind is this; Mr. Das has pointed out that a certain number of goondas may immediately flock to the standard of the non-co-operators and labour people. Sir, not only may they do so in certain numbers, but I maintain that they most assuredly will do so in very great numbers. Behind the magnificent cloak and impregnable safeguard of political and labour activities the goondas will be able, with impunity, to terrorize the district in which they live. I ask the House, Sir, not to let the issue be clouded by this attempt to levy against the Government what we know in our heart of hearts to be an absolutely unjust accusation, but to keep these two issues clearly in front of it.

Babu NITYA DHON MUKHERJEE: I rise to support this motion. I am extremely sorry that after so many years (to use the language of my friend, Babu Surendra Nath Mallik) serving his mother-country, he fails to find out the definition of a political offender. Since the year 1905, the year of the partition of Bengal, up till now, you have seen in the judgments of courts in the papers as well as in public meetings what is meant by a political offender and what is meant by a political offence. He says that this question was considered by the Select Committee and let us see what the Committee say in their report—

> The definition of a "goonda" has been very carefully considered. We are advised that the various suggestions made in favour of an exhaustive definition are based largely on an apprehension that the provisions of the Act may be applied to political offenders. This is not the intention of the Bill and the procedure which we have suggested under which the papers of the case are to be examined by two experienced advising Judges seems to us the surest safeguard against any such misapplication.

If that is so, let us use the expression "political offender" in the same sense in which the Select Committee used it. In the report, the Select Committee say—

> The term goonda also is well-known in popular parlance and admits of little misconception.

We also say the same thing. The expression "political offender" is well known to everybody and there cannot be any misconception about it. My friend says that if this amendment is accepted, in that case, the goondas will join the picketing party. Does my friend then intend to say that the picketers will be prosecuted under this Act? If the goondas can avoid the operations of this Act, simply by joining picketing parties, does my friend intend to say that only picketing will make a man liable to be prosecuted under this Act. We have just heard the Hon'ble Mr. Stephenson. We have been told by him that when goondas are prosecuted, no inquiry will be made but that their previous conduct and the judgments of cases passed against them previous to

the starting of an action under this Act will be taken into consideration. In the case of picketing, etc., no previous conviction or rather previous judgment will be available or made use of. Mr. S. R. Das, with his well known legal aptitude, has explained the circumstances under which political offenders cannot be included in this Bill. But with due deference to him, I submit that notwithstanding the explanation he has given, Government may include political offenders if it intends to do so. I shall try to explain what I mean. Clause 3(*a*)(*1*) says——

Mr. PRESIDENT: We have finished the first sub-clause, and I hope you will not read it.

Babu NITYA DHON MUKHERJEE: I am simply explaining how political offenders may be included under this clause. The clause says:—

> Such person or such gang or body is committing or has committed or is about to commit or is assisting or abetting the commission of a non-bailable offence against person or property, or the offence of criminal intimidation or an offence involving a breach of the peace, so as to be a danger to, or cause or likely to cause alarm to, the inhabitants, etc.

Sir, please mark the word "or." Mr. S. R. Das, while explaining the section, stated that a man must commit a non-bailable offence against person or property before any action could be taken against him. That explanation would have been satisfactory if instead of the word "or" at the end of clause (*i*) of section 3(*1*), the word "and" had been put. I therefore think that the picketers can be hauled up under this section if the Government choose to do so. When there is picketing shopkeepers may say that it causes alarm and intimidation to them; and therefore, the people engaged in picketing are liable under this clause. The words are very clear, viz., or the offence of criminal intimidation . . . or cause or likely to cause alarm to the inhabitants. If it was really the intention of the Select Committee to exclude the political offenders, I think the best thing would be to accept this amendment.

Rai JOGENDRA CHUNDER GHOSE Bahadur: When I heard the Hon'ble Mr. H. L. Stephenson this morning I thought that these amendments should not be supported, but having heard the opponents of these amendments, I think there are good reasons why Rai Dr. Haridhan Dutt's amendment should be supported. As regards amendment moved by Mr. Ajoy Chunder Dutt, who once called me extremist, this is simply inadmissible.

Mr. AJOY CHUNDER DUTT: May I rise to a point of order? I understand that the Rai Bahadur has called me an extremist.

Mr. PRESIDENT: He has not called you an extremist, but he is referring to you having called him so.

Rai JOGENDRA CHUNDER GHOSE Bahadur: He says that this section shall not apply to any person who having taken part in a political or labour movement commits or is about to commit an act specified in this section. What is specified in the Act? Non-bailable offence against person or property. Does he mean that a person taking part in a labour movement is at liberty to commit any non-bailable offence against person or property? Surely not. For that simple reason amendment of Mr. Ajoy Chunder Dutt is utterly indefensible.

As regards the amendment of Rai Dr. Haridhan Dutt Bahadur it stands on a different footing. The Hon'ble Mr. Stephenson has himself said that this Act will not apply to any political offence and reading the provision of the Bill I see no ground for suspicion that Government intend to bring the political offenders into the meshes of the law through this Act. Such a suspicion should not be given expression to in this House.

It has been stated by some members of the Select Committee that they considered that political offences may come within the provision of this Bill. I am not of that opinion, but when they have said so it is clear that this proviso must be entered.

It has been asked—What do we mean by political offence? Political offence is a political offence just as a goonda is a goonda. It is said that goondas will be employed by the political offenders. Sir, goondas have been employed in all countries in the world in political movements but they cannot be protected because they are so employed. They must come under the provisions of the law even though they are employed by political leaders. That will not take away the criminality of their offence. Therefore, when the Hon'ble Mr. Stephenson himself has assured us that political offenders will not be included within the purview of this Bill we must accept the amendment that political offenders will be excluded, but will not include goondas and hooligans employed by political leaders in pursuance of their movement. It is quite clear that this amendment can do no harm, as the Hon'ble Mr. Stephenson himself has said that he has no intention whatsoever of including political offenders in this Act. I might as well as say that he will do well to avoid the ungrounded suspicion that has been expressed in this Council and elsewhere that this Act has been intended to put political offenders into trouble.

Mr. DEPUTY-PRESIDENT (Babu Surendra Nath Ray): I do not like to give a silent vote with regard to these amendments because I know that they will go to the poll, and I should like to say a few words with reference to them. I support the amendment of Rai Dr. Haridhan Dutt Bahadur. What is the amendment? It is that "nothing in this section shall apply to any political offence." It is only a safeguard and Government will lose nothing by putting in this safeguard.

There is one thing which we must take notice of. Some of the

non-co-operators were arrested, hauled up before the courts, and tried on charges of bad livelihood. Some of them are respectable people having properties and a large following. I shall give only one instance, namely, the case of Dal Bahadur Giri of Darjeeling. When I read in the papers that he was being hauled up in the court at Darjeeling——

Mr. PRESIDENT: Darjeeling is outside the scheduled districts, Mr. Deputy-President.

Mr. DEPUTY-PRESIDENT: I know that. I was simply going to point out how at times the bad livelihood section of the Criminal Procedure Code is being taken advantage of by Government and I cited only one example. Some other non-co-operators were similarly treated, sometimes the Government go too far, and inasmuch as provisions of law are or may be abused, I think the amendment of Rai Dr. Haridhan Dutt Bahadur ought to be accepted. The Government will not lose anything by accepting it.

Dr. HASSAN SUHRAWARDY: I am not a lawyer and so I cannot follow the intricacies and quibbles of the law and lawyers. Well known lawyers have said that it is difficult to describe what a political offence is. My friend here from the criminal bar of the other side of the Hooghly and others think that a definition is possible. However, there is undoubtedly one point on which we all agree, viz., that there is a good deal of apprehension in the minds of many members of the Council now, and the same apprehension was in the minds of many members of the Select Committee, that it was the intention of the Government to apply the Act to political offenders, that is to say, to people who were engaged in constitutional agitation or in a purely political or labour movement. Our fears were removed and we felt satisfied by the assurance given by the Hon'ble the Member in charge of the Bill that it was not so. Mr. Huseyn Shaheed Suhrawardy who has spoken so impressively on the subject also recognizes the fact that if a goonda is hired for advancing a political or labour movement or calling out people to strike by intimidating them, then that hireling is not a political offender, if I may use the term. He must be treated as a goonda. This is the crux of the whole thing. We all agree in this. Nobody wants to haul up a man as a goonda if he is pure and simple a political leader, who goes on in a constitutional way; but if a person hires out people—as we found was the case in connection with the troubles during the cold weather of 1921 and 1922, when a lot of people who are known to be bad characters in the city were hired by people in Burrabazar and in the mill areas—to advance their so-called political movement, such people certainly must be brought within the purview of the Goondas Act. It is to ensure the safety of the people that we want this Bill to be passed. We do not want provisions which will give a loop-hole for

false personification and protracted trials and for people like the goondas attempting to escape by saying that they belong to certain unions or samitis.

There will be two experienced advising Judges who will consider whether a man is a political offender or he is a goonda who is hired for political agitation, and for that purpose the House will have to trust these Judges. It is for them to decide whether a man is really a goonda or he is a goonda hired for political purposes, or he is a purely political leader. It does not make any difference whether or not it is expressly mentioned that the Act will not apply to political offenders. These Government officers must decide this fact and we must trust them. There is not only misapprehension but a good deal of mistrust. Because it is the Government who are introducing this Bill, why should we always look upon such measures with mistrust. A good movement should be supported and I do not think that there are any grounds for the apprehension and mistrust that the Bill has been got up deliberately under a false cloak to be used to squash honest labour movements or purely political agitations. I am satisfied its only intention is to stop goondaism, hooliganism and the hiring out of goondas for so-called political and labour movements, and we ought to support the Bill.

Babu NIRODE BEHARY MULLICK: My political creed——

Mr. PRESIDENT: Nirode Babu, I am afraid you are quite inaudible, and unless you speak up, your speech will be lost in oblivion.

Babu NIRODE BEHARY MULLICK: My political creed has always been this—equal opportunity and equal treatment for all. It appears that these amendments do not come up to this standard. It seeks to create division and differentiation between one class of persons and others. This I cannot approve of; therefore I simply oppose them.

The Hon'ble Mr. H. L. STEPHENSON: I think, perhaps, the Council will not require me to deal with the somewhat fantastic theory of Mr. Huseyn Shaheed Suhrawardy, that this Bill has been designed by Government for the special purpose of attacking political leaders. I am not quite sure whether Mr. Suhrawardy went to the further length of accusing Government of having fostered the goonda movement and possibly of having the goondas in Government pay for the purpose of paving the ground for this Bill. The intentions of Government are the same as those of the House. There is no intention—and there has never been any intention—of making this Bill a political weapon.

In introducing the Bill, I was careful to give a full history of the whole genesis of the Bill, and I showed that far from its being a spontaneous effort of the Government, it has been forced on Government. Government have no doubt incurred a certain amount of opprobrium,

because they have not brought in this Bill for Calcutta sooner. In the Select Committee, the possible feelings of the Council were considered. It was recognized that there was a somewhat unfortunate distrust of Government on each and every occasion. Therefore, we set about to see if there was any way in which we could remove this distrust. As Mr. Das explained, we had hoped that we had done so. It may be argued then—Why, if our object is the same, do we not accept these amendments? As has been pointed out by Mr. Mallik, these amendments have already been considered and discarded by the Select Committee. I do not claim infallibility on the part of the Select Committee, but I do claim that the Select Committee as a body was in no way packed by Government; it was a body that had the same hopes and intentions as the rest of the Council. It was a body composed of intelligent men who set themselves to try and discover a way of effecting what the Council wants. They considered these particular ways and they discarded them, because they found that these would not suit the purpose.

The Hon'ble Mr. H. L. STEPHENSON: The amendment of Rai Dr. Haridhan Dutt Bahadur says—

> "Provided that nothing in this section shall apply to any political offence."

For the last ten years at least I have taken part in discussions and have dealt with files in vain attempts to define a political offence. We all know more or less what we mean by a political offender, but how many of us would agree on a definition. How could we start to define a political offence? Is it the motive or is it the character of the offence? It is not only the Select Committee that have failed to define political offences, it has been the Bengal Government, the Government of India and even the Secretary of State for India: they have all at one time or another endeavoured to define what a political offence is. The Jail Commission again took up the question and tried their best, but they, too, failed. As long as we are dealing merely with the treatment of political offenders, we all know what the term means. We never defined them, but this did not matter as we were only concerned with executive action. We all agree more or less what we mean by political offenders, though we might differ as to individuals. But when we come to the question of putting this expression into the law, surely we must have something more definite. It has been said that it does not make much difference as we cannot define a goonda. But, Sir, the Bill does not punish a goonda *per se;* it merely enables us to deal with a certain class of people, provided they commit certain acts in certain circumstances. Here, if we accept the proposed amendment, we shall have to take out of the Bill certain offences which are political and we shall have to define what political offences are. When we

get a phrase that is commonly used and put it down definitely in the statute, we must know what we mean—not only ourselves, but everybody else must know. That is the difficulty we have in regard to this amendment.

As regards the amendment of Mr. Ajoy Chunder Dutt, I think it is—if I may say so—a dangerous proviso because it goes a good deal further than our common object. As Rai Jogendra Chunder Ghose Bahadur has said, it definitely holds up to the goonda a cloak and invites him to come and take shelter in it. What will be the result? There will be a trade union of goondas. Goondaism would develop into a labour movement. One of the activities of the goondas in Calcutta has been to start looting as soon as there is any trouble, political or otherwise. We all remember the looting that took place in Harrison Road. Under the proviso that is proposed in this amendment, a goonda who loots after a political meeting or after a political riot would be protected. The real crux of these amendments is the question whether you can trust Government or not. It is not a personal question, but as has been pointed out, it is beyond the wit of man to devise an Act which is absolutely water-tight. There is always room somewhere for wickedness if Government have sufficient wickedness to want to get round it. If you adopt the amendment of Rai Dr. Haridhan Dutt Bahadur and purport to exclude political offences, as Mr. Das has pointed out—you are going to trust the same wicked Government to decide what a political offence is. Surely a little trust is a dangerous thing. Either trust Government entirely or if you do not trust, take precious good care to give no powers. Half-trust and half-distrust is of no use. It has been said that while we may pay the present Government the compliment of intending to stick to its word, yet future Governments will not be bound by the intentions of the present Government as the memory of Governments is short. Surely, Sir, it is not an argument that ought to carry any weight. During the last two years what has been the advance in the political power of this Council? We are told that in another five years the present debates will be forgotten and that the oppressive Government of the future will utilize this Act as a political weapon. But what will be the oppressive Government? It will be a Government supported by this Council; it will be a Government which will have to obey the will of this Council. I would therefore appeal to the Council to take a broad view of this matter. Government are at one with the Council. We have no intention to work this Act for a political purpose, and further, we do not believe we can do it—and Mr. Das has told you why. I would, therefore, ask the Council not to try, by passing an ineffective amendment, to express their distrust of the intentions of Government and hamper it in a way that will not make the slightest difference to Government.

The motion standing in the name of Rai Dr. Haridhan Dutt Bahadur was then put and a division taken with the following result:—

AYES.

Afzal, Nawabzada K. M., Khan Bahadur.
Ahmed, Maulvi Rafi Uddin.
Ahmed, Munshi Jafar.
Aley, Mr. S. Mahboob.
Arhamuddin, Maulvi Khandakar.
Banerjea, Dr. Pramathanath.
Basu, Babu Jatindra Nath.
Bhattacharji, Babu Hem Chandra.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Babu Tankanath.
Chaudhuri, Maulvi Shah Muhammad.
Chaudhuri, Rai Harendranath.
Choudhury, Khan Bahadur Maulvi Rahmatjan.
Chowdhuri, Maulvi Fazlal Karim.
Das Cupta, Rai Bahadur Nibaran Chandra.
Da, Rai Bahadur Fanindralal.
Dutt, Mr. Ajoy Chunder.
Dutt, Rai Bahadur Dr. Haridhan.
Dutta, Babu Indu Bhushan.
Huq, Maulvi Ekramul.
Karim, Maulvi Fazlul.
Khan, Maulvi Hamid-ud-din.
Makramali, Munshi.
Mukherjee, Babu Nitya Dhon.
Mukhopadhaya, Babu Sarat Chandra.
Pahlowan, Maulvi Md. Abdul Jubbar.
Ray, Babu Surendra Nath.
Ray, Kumar Shib Shekhareswar.
Ray, Rai Bahadur Upendra Lal.
Ray Choudhury, Raja Manmatha Nath.
Rishi, Babu Rasik Chandra.
Roy, Babu Jogendra Krishna.
Roy, Babu Nalini Nath.
Sarkar, Babu Jogesh Chandra.
Suhrawardy, Mr. Huseyn Shaheed.

NOES.

Ahmed, Maulvi Azaharuddin.
Banerjee, Rai Bahadur Abinash Chandra.
Birley, Mr. L.
Bose, Mr. S. M.
Clarke, Sir Reginald.
Das, Babu Bhishmadev.
Das, Mr. S. R.
Deare, Major-General B. H.
Dey, Mr C. C.
Donald, the Hon'ble Mr. J.
Donovan, Mr. J. T.
Emerson, Mr. T.
Faroqui, Mr. K. C. M.
Forrester, Mr. J. Campbell.
Chose, Rai Bahadur Jogendra Chunder.
Coode, Mr. S. W.
Hornell, Mr. W. W.
Huntingford, Mr. C. T.
Hussain, Maulvi Mahammed Madassur.
James, Mr. R. H. L. Langford.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble the.
Mallik, Babu Surendra Nath.
Marr, Mr. A.
McAlpin, Mr. M. C.
Mitter, the Hon'ble Mr. P. C.
Nakey, Mirza Muhammad Ali.
Prentice, Mr. W. D. R.
Rahim, the Hon'ble Sir Abdur-.
Roy, Maharaja Bahadur Kshaunish Chandra.
Roy, Mr. C. N.
Roy, Mr. J. N.
Roy, Raja Manilall Singh.
Stark, Mr. H. A.
Stephenson, the Hon'ble Mr. H. L.
Suhrawardy, Dr. A.
Suhrawardy, Dr. Hassan.
Villiers, Mr. F. E. E.

The Ayes being 35 and the Noes 38, the motion was lost.

The motion standing in the name of Mr. Ajoy Chunder Dutt was then put and a division taken with the following result:—

AYES.

Afzal, Nawabzada K. M., Khan Bahadur.
Ahmed, Maulvi Rafi Uddin.
Ahmed, Munshi Jafar.
Arhamuddin, Maulvi Khandakar.
Banerjea, Dr. Pramathanath.
Bhattacharji, Babu Hem Chandra.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Maulvi Shah Muhammad.
Chaudhuri, Rai Harendra Nath.
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahmatjan.
Chowdhury, Maulvi Fazlal Karim.
Das Cupta, Rai Bahadur Nibaran Chandra.
De, Rai Bahadur Fanindralal.
Dutt, Mr. Ajoy Chunder.
Dutta, Babu Indu Bhushan.
Chose, Rai Bahadur Jogendra Chunder.
Huq, Maulvi Ekramul.
Karim, Maulvi Fazlul.
Khan, Maulvi Hamid-ud-din.
Makramali, Munshi.
Mukherjee, Babu Nitya Dhon.
Mukhopadhaya, Babu Sarat Chandra
Pahlowan, Maulvi Md. Abdul Jubbar.

Ray, Babu Surendra Nath.
Ray, Kumar Shib Shekhareswar.
Ray, Rai Bahadur Upendra Lal.
Ray Choudhury, Raja Manmatha Nath.
Rishi, Babu Rasik Chandra.
Roy, Babu Nalini Nath.
Sarkar, Babu Jogesh Chandra.
Suhrawardy, Mr. Huseyn Shaheed.

NOES.

Ahmad, Maulvi Azaharuddin.
Banerjea, Rai Bahadur Abinash Chandra.
Birley, Mr. L.
Bose, Mr. S. M.
Clarke, Sir Reginald.
Das, Babu Bhishmadev.
Das, Mr. S. R.
Deare, Major-General B. H.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Donovan, Mr. J. T.
Emerson, Mr. T.
Faroqui, Mr. K. C. M.
Forrester, Mr. J. Campbell.
Goode, Mr. S. W.
Hornell, Mr. W. W.
Huntingford, Mr. G. T.
James, Mr. R. H. L. Langford.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble the.
Mallik, Babu Surendra Nath.
Marr, Mr. A.
McAlpin, Mr. M. C.
Mitter, the Hon'ble Mr. P. C.
Nakey, Mirza Muhammad Ali.
Prentice, Mr. W. D. R.
Rahim, the Hon'ble Sir Abd-ur-.
Roy, Maharaja Bahadur Kshaunish Chandra.
Roy, Mr. C. N.
Roy, Mr. J. N.
Roy, Raja Manilall Singh.
Stark, Mr. H. A.
Stephenson, the Hon'ble Mr. H. L.
Suhrawardy, Dr. A.
Suhrawardy, Dr. Hassan.
Villiers, Mr. F. E. E.

The Ayes being 31 and the Noes 36, the motion was lost.

The following amendment was, in the absence of the member, deemed to be withdrawn:—

Babu JATINDRA NATH BASU to move that at the end of clause 3 the following be added, namely:—

"Provided that nothing in this section shall be deemed to refer to any political offence."

Mr. PRESIDENT: The question is that clause 3, as amended, stand part of the Bill.

The motion was put and agreed to.

Discussion of new rules of travelling and residential allowances.

Mr. PRESIDENT: Before the Council adjourns I may say that I received a request signed by 30 members of this Council, asking my consent to a motion for the adjournment of the Council for the purpose of discussing an urgent matter, namely, the new rules of travelling and residential allowances for the members of the Bengal Legislative Council. I cannot hold that this is a matter of urgent public importance. It may be a matter of very profound importance to individual members of the Council, but it certainly is not a matter of urgent public importance, and I, therefore, refuse my consent.

Adjournment.

The Council was then adjourned till 3 P.M. on Wednesday, the 31st January, 1923, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 31st January, 1923, at 3 P.M.

Present:

The Hon'ble the President in the Chair, the four Hon'ble Members of the Executive Council, the three Hon'ble Ministers, and 104 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

Mr. S. C. STUART-WILLIAMS.

Governor's assent to amended Standing Orders.

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): Order, order! I have to inform the House that His Excellency the Governor has given his assent to the amendment of the Standing Orders passed by the Council on the 24th January, 1923.

Starred Question

(to which oral answer was given).

Posting of judicial and executive officers to their home districts or to places in which they have got landed properties.

***XL. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether there are any rules or orders prohibiting the posting of executive and judicial officers to places where they have got properties or houses?

(*b*) If so, will the Hon'ble the Member be pleased to lay a copy of such rules on the table?

(*c*) If the answer to (*a*) is in the negative, are the Government considering the desirability of making rules or issuing orders prohibiting the posting of officers to places where they have got holdings or properties?

(*d*) Will the Hon'ble the Member be pleased to lay on the table a statement showing the names of officers of the Bengal Civil Service (both executive and judicial branch) and of the Subordinate Civil Service who are posted to their home districts or to places where they have got landed properties with dates of such posting?

(*e*) Will the Hon'ble the Member be pleased to state whether the fact of having landed properties is taken into consideration at the time of issuing orders of posting?

MEMBER in charge of APPOINTMENT DEPARTMENT the Hon'ble Mr. H. L. Stephenson) : (*a*) No; but under rule 10 of the Government Servants' Conduct Rules members of the Provincial and Subordinate Civil Services are liable to be debarred from employment within the district or other local limits in which they have immoveable property

(*b*) The answer to (*a*) contains the rule.

(*c*) No.

(*d*) The preparation of a statement would involve labour incommensurate with its value.

(*e*) Officers are not posted to their home districts except for special reasons, and as the landed property of officers is, as a rule, in their home districts, to that extent this fact of having landed property is taken into consideration in the posting of officers.

Unstarred Questions

(answers to which were laid on the table).

Life Offices and alleged differential treatment of Indians and Europeans.

281. Babu AMULYA DHONE ADDY: Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state whether it is a fact that certain European Life Offices and one or two Indian Life Offices have an arrangement with the Accountant-General by which the latter deducts the premiums from the salaries of those gazetted officers who have policies with those Companies and transmits the same to those Life Offices while the same facility is refused to other Indian Life Offices?

MEMBER in charge of DEPARTMENT of COMMERCE (the Hon'ble Mr. J. Donald): No.

Report of the Water Hyacinth Committee.

282. Babu JATINDRA NATH BASU: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state the date when the Water Hyacinth Committee presided over by Sir J. C. Bose submitted their report?

(*b*) When is the report to be published?

(*c*) Will the Hon'ble the Minister be pleased to lay a copy of the report on the table?

(*d*) What steps are the Government taking in the matter of the water hyacinth nuisance?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) 11th December, 1922.

(*b*) The report has been published within the last few days.

(*c*) A copy is laid on the Library table.

(*d*) The steps to be taken by Government will be decided on when the recommendations in the report have been considered.

Embankments on Mohari river in Noakhali.

283. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state whether he is aware that the crops of the inhabitants of about 300 villages of Shabek Ratan Nagar, Khandal, Jagatpur and South Shik Parganas, etc., which are under the jurisdiction of Chagal Naya and Pasonram police-stations in Noakhali district, are being destroyed owing to the want of an embankment of the Mohari river?

(*b*) Is it a fact that an application was submitted to the Commissioner of Chittagong 10 or 12 years ago with reference to there being no embankments at the abovementioned places and that the District Magistrate of Noakhali made an inquiry into the matter?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble the Member be pleased to lay a copy of the report on the table and state what steps were taken in regard to the report?

(*d*) What steps, if any, have been taken at all in this matter?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) Government are aware that damage to crops is caused by floods in the Mohari river.

(*b*) Government have no information on the subject.

(*c*) The question does not arise.

(*d*) In 1921, an inquiry was made into the matter on an application received from the Secretary, Khandal Praja Samiti, and Government decided that it was not advisable to construct embankments on the river Mohari as such a course was likely to entail disastrous consequences in the future.

Picketing cases against certain persons in Burdwan.

284. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether it is a fact that the picketing cases against Kamalapati Hazra Chaudhuri, Bibhuti Bhushan Ghosh, and Jitendra Nath Hazra under section 188, Indian Penal Code, came up for hearing before the Deputy Magistrate of Burdwan on the 29th August, 1922, and that the accused refused to plead?

(*b*) Is it a fact that two pleaders who were in Court at the time pointed out that the order under section 144, which the accused had disobeyed, was illegal inasmuch as it was signed not by the District Magistrate, but by Mr. Duncan Best, the Assistant Magistrate, who had second class powers?

(*c*) Is it a fact that the Deputy Magistrate accepting the contention of the pleaders acquitted the accused under section 188, Indian Penal Code?

(*d*) If the order was illegal, why were the volunteers sent up for trial?

(*e*) What steps does the Hon'ble the Member propose to take to protect people against such prosecutions in future?

MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) The statement is correct, except that all the three accused did plead to the charge.

(*b*) Government have no information that such an allegation was made.

(*c*) The Deputy Magistrate acquitted the accused, but not on the ground alleged.

(*d*) The order was signed by the District Magistrate and was not in any way illegal.

(*e*) The question does not arise.

Committee to inquire into the question of North Bengal floods.

285. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Department of Irrigation aware that Rai

Bahadur Rala Ram has submitted his report on the recent floods in Nort Bengal to the Government of India?

(*b*) If so, will the Hon'ble the Member be pleased to state—

(*i*) when did he commence his inquiry;

(*ii*) when was it finished; and

(*iii*) when did he submit his report?

(*c*) Have the Government of Bengal received any communicatio from the Government of India regarding this report or are they i correspondence with the Government?

(*d*) Will the Hon'ble the Member be pleased to state the conclu sions formulated in this report?

(*e*) When and what action are the Government taking in the matter?

The Hon'ble the MAHARAJADHIRAJA BAHADUR o BURDWAN: (*a*) No.

(*b*) The question does not arise.

(*c*) No.

(*d*) The question does not arise.

(*e*) Government have appointed a Committee to investigate the whole question.

Acquisition of No. 16, Dutt Lane, for extension of the Sir Stuart Hogg Market.

286. Babu AMULYA DHONE ADDY: (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that the premises No. 16, Dutt Lane, in Calcutta, are to be acquired by the Corporation of Calcutta for the extension of the Sir Stuart Hogg Market?

(*b*) Is the Hon'ble the Minister also aware that the said premises are the *debatter* property of some idols established in the said premises at least half a century ago and that a very large number of Hindu pilgrims come to offer their *pujas* to the said idols?

(*c*) Is it a fact that several largely attended meetings of influential members of the Hindu community including the Hon'ble the Maharaja of Cossimbazar, and other rajas and noblemen and learned pandits, were held in Calcutta to protest against the said acquisition?

(*d*) Is it a fact that several representations have been made to the Government by influential persons for the exclusion of the whole of the said premises from acquisition?

(*e*) Are the Government considering the desirability of excluding the whole of the said premises from acquisition?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): (*a*) Yes.

(*b*) The Minister has no information.

(*c*) The Minister understands that this is correct.

(*d*) The question of the acquisition of premises No. 16, Dutt Lane, was very carefully considered by the Corporation, which finally decided to exclude the "Shivalaya" situated within the premises from acquisition. Government saw no reason to interfere with this decision of the Corporation.

(*e*) No.

Government Bill.

The Goondas Bill, 1922.

Mr. PRESIDENT: The Council will now resume the discussion on the Goondas Bill, 1922, as amended by the Select Committee.

CLAUSE 4.

Mr. PRESIDENT: The question is that clause 4 stand part of the Bill.

The following amendments standing in the name of Mr. Ajoy Chunder Dutt were, in the absence of the member, deemed to be withdrawn:—

"That in clause 4(*1*), lines 2 and 3, the words 'or of the District Magistrate, as the case may be' be omitted."

"That in clause 4 (*2*), line 6, after the words 'such person in the report' the words 'together with such particulars as will enable him to meet the charges' be inserted."

Babu JATINDRA NATH BASU: I move that in clause 4 (*2*), line 6, after the words "such person in the report" the words "and the particulars on which they are based" be inserted.

Clause 3 provides that the Commissioner of Police or the District Magistrate shall submit a report to the local Government, and the local Government on that report might order the issue of a warrant for the arrest of the person against whom the report shall be made. Clause 4, sub-clause (*2*), provides that the warrant shall be in a form prescribed by the local Government and published in the official Gazette, and shall

contain a statement of the heads of the charges made against such person. The amendment proposed by me is that, in addition to the heads of charges, the following words be added, viz., "and the particulars on which they are based." Suppose a man is charged with criminal intimidation and the warrant merely states that he is guilty of criminal intimidation, it will be difficult for the man to meet a general charge like that, unless it is stated in the warrant as to when the intimidation took place, in what place, and in connection with what incident. Unless those particulars are stated, it is not possible for the man to meet a general charge of that description. The amendment suggested by me merely provides that you should give these particulars. If the particulars are given to him, I do not see what special danger will arise. Suppose it is stated in a case of criminal intimidation that he was guilty of criminal intimidation on a particular date in a particular locality; he would then be in a position to meet the charges mentioned in the warrant. I therefore suggest that, in addition to the words "statement of the heads of charges," the words "and the particulars on which they are based" be inserted.

Mr. BIJOYPROSAD SINGH ROY: I beg to support this amendment. It is only just and fair that before a man is hauled up before a court or a tribunal, he should know the particulars of the charges brought against him; otherwise it is not possible for him to defend himself against those charges, because it requires some preliminary preparation before he comes to the court. The publication of the mere heads of the charges will not help him in this direction. Supposing a man is asked to cite witnesses, and he refers to a man who is already in the clutches of the police; any evidence given by this man is more likely to go against the accused than in his favour; so it is necessary that he should know all the particulars of the charges brought against him; otherwise he cannot be expected to defend himself properly. Moreover, it will not in any way go against the principle of the Bill; on the other hand it will help the unfortunate accused to justify his own conduct.

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): I am entirely at one with the mover of the amendment in desiring that the person against whom the report is made, should be given full particulars. I think his amendment is rather based on a misunderstanding of the procedure which will take place. He seems rather to be apprehensive that the charge will be merely one of having committed a particular offence without specifying a place or anything else. Under the ordinary law, a man, if he is accused, is entitled to know all the particulars of the charge, and certainly under this Act, we shall not give him less than this, but more. The procedure is intended to be very much the same as in the case of internment-cases, with which I had something to do. There we gave

the accused what we called heads of charges, and these contained all the information we were able to give him, without giving away our sources; it was not merely that "you are a member of a revolutionary party," but that "you took part in such-and-such a dacoity and you had in your possession such-and-such weapons," and so on. The only reason why I oppose this amendment is that it will be taken to mean, I am afraid, that the accused, the man against whom the report is made, has a right to know the statements of the witnesses; as a matter of fact, there will not often be any statement of witnesses, because, as I explained, we should be proceeding almost entirely on previous convictions, extracts from the thana registers, written complaints put in, and so forth. But if we put into the law that he is entitled to have the particulars on which the charges are based, it will certainly be interpreted as giving him a right to know the particulars of the evidence, the witnesses, and so forth. That is what we do not propose to give him. What we do propose to give him are details of any particular incidents in which he had been concerned,—such things as "you were convicted on such-and-such dates of robbery, that you are suspected in such-and-such a case, and in such-and-such a thana." I can assure the mover of this amendment that we have every intention of giving as full particulars of the charges as we possibly can. I think he will see that my objection to this particular amendment is a reasonable one.

Babu JATINDRA NATH BASU: I did not contemplate that such particulars would be stated. By my amendment——

Mr. PRESIDENT: You are not entitled to reply; are you asking leave to withdraw?

Babu JATINDRA NATH BASU: No. What I meant was that the section provides——

Mr. PRESIDENT: As I said, you have no right of reply. You either press for the amendment or you withdraw it.

Babu JATINDRA NATH BASU: Having regard to the suggestion made by the Hon'ble Member in charge——

Mr. PRESIDENT: There is no opportunity for a speech. Do you wish to withdraw or press the amendment?

Babu JATINDRA NATH BASU: I ask leave to withdraw the amendment, having regard to the observations made by the Hon'ble Member in charge.

The amendment of Babu Jatindra Nath Basu was then, by leave of the Council, withdrawn.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I move that in clause 4(2), at the end, the following be added, namely:—

"and to show cause, if he likes, as to why he should not be dealt with under the provisions of this Act."

The reason why I want to have these words at the end of the clause is this; I want to bring the language of this Act into line with the language of other Acts and Codes dealing with similar subjects, for instance, the security sections in the Criminal Procedure Code—sections 107, 110, and other sections, and it is a principle of legislation that the language of all the Acts and Codes and pieces of legislation should, as far as possible, and as far as practicable, be made similar. Here the words put down are these—"that the person may by petition make any representation which he likes to the Judges." If these words convey the whole thing, then it may be said that it is not necessary to have the addition suggested by me, but to my mind it appears that an accused person or a supposed goonda may appear and show cause, saying that his is not a case which is to be dealt with under this special legislation his is a case, even on the showing of the report of the Commissioner of Police or on the face of the warrant, which should be dealt with under the ordinary law. That would be showing a cause why he should not be dealt with under the provisioins of this Act, but under ordinary law. This might or might not be covered by the word "representation." So to bring the language of this section into conformity with the existing law, and also for giving a wider scope to the person reported against, to take that sort of exception that his is not a case to be dealt with under this special legislation, I think the addition proposed by me should be made, and I do not think that it affects in any way the main provisions of the Bill. He may like to show cause, saying that he is an ordinary criminal and may be dealt with under the Indian Penal Code or Criminal Procedure Code, and he is not a goonda and his case is quite different from that of goondas contemplated under this section. That is why these words should be inserted; so I move that my amendment be accepted.

The Hon'ble Mr. H. L. STEPHENSON: I am afraid my mind is not of such a legal cast as that of the mover of the amendment. As far as I can make out, he wishes to add these words so as to bring the law under this Bill into conformity with the wording of the existing law, but though I have not the Criminal Procedure Code by me at the moment, I certainly do not recollect any provision in the Criminal Procedure Code which allows an accused to make a representation. We, in considering this question, came to the conclusion that we ought to make the wording as wide as we possibly could, not to confine it to the man showing cause but to use as wide a word as possible, so as to allow the man to say anything he likes in his favour to the Judges. That is the reason why we adopted this procedure of making a representation instead of showing

cause. It seems to us to be wider, and I think that is what is wanted here; that a man should have an opportunity of being able to say—"well, I am a goonda; I am a poor man with five starving children; therefore have pity on me." Therefore I think the amendment is unnecessary because it is already covered by "representation."

The motion was then put and lost.

The Hon'ble Mr. H. L. STEPHENSON: I move that in clause 4 (*3*)(*i*), line 6, for the word "orders" the word "order" be substituted. This is really to correct a drafting mistake.

The motion was put and agreed to.

The following amendment standing in the name of Rai Mahendra Chandra Mitra Bahadur was, in the absence of the member, deemed to be withdrawn:—

"That in clause 4 (*3*), lines 16, 19 and 20, after the words 'Presidancy Magistrate' in both places where they occur, the words 'or the District Magistrate' be inserted."

Mr. PRESIDENT: The question is that clause 4, as amended, stand part of the Bill.

The motion was put and agreed to.

CLAUSE 5.

Mr. PRESIDENT: The question is that clause 5 stand part of the Bill.

The following amendment standing in the name of Mr. Ajoy Chunder Dutt was, in the absence of the member, deemed to be withdrawn:—

"That in clause 5 (*1*), lines 3 and 4, the words 'or of the District Magistrate, as the case may be' be omitted."

Babu INDU BHUSHAN DUTTA: I beg to move that in clause 5, (*1*), for the words "advising Judges," in line 6, to the end of the clause, the following be substituted, namely:—

"two persons, of whom one shall be a District and Sessions Judge of Alipore and the other a non-official Indian."

When we find that the rare advocacy of Mr. S. R. Das, the rejuvenated eloquence of Babu Surendra Nath Mallik, the laboured sarcasm of Mr. Villiers all combine together to support the Government, our case seems indeed hopeless. It is said that misfortune makes strange bedfellows, but can it be that good fortune also does the same? Whatever may be the fate of our amendments, we belong to a party, which is tenacious and which will never say "die." So, we will go on till the end and fight to the last.

To come now to this particular amendment, when we find that even in the tribunal for trying revolutionary and anarchical cases, non-officials were found fit to sit in the tribunal along with the Judges, I do not see why non-officials should not be allowed to form part of the court for looking into these goonda cases. Sir, it is purely a question of trust. If we have confidence in the Government to allow this Bill to go on, surely the Government can trust non-officials to sit with another Judge and dispose of these cases. A question has been raised that it would be dangerous for a non-official to sit in that court and no one would be found willing to serve. I submit that the goondas are not more dangerous than those anarchists and revolutionarists; if non-officials could be found to try their cases, I do not see any reason why they should be failing to come forward to try the cases of goondas.

With these few words, I place my amendment for the consideration of the Council.

The Hon'ble Mr. H. L. STEPHENSON: Babu Indu Bhushan Dutta has placed an argument in my mouth and then, if I may be allowed to use an Irish bull, has proceeded to knock it down. I never said that no non-official would be willing to serve on this committee. Such a thing was far from my thoughts, and I am certain that any member who stands up to the goonda in this Council would be equally willing to sit on the committee and weigh the evidence put before him and advise Government as to what to do. It is not a question of not trusting non-officials. The Select Committee, if I may drag them in again, considered this matter and adopted the alternative of having two Judges. It is not a question of trying a man for a particular offence or punishing him for a particular offence, but it is a question whether a particular man is one who should be allowed to remain in Calcutta or not. Presumably the idea of having two Judges is to have two men to go through the papers who have been trained in tha matter of examining evidence. It is quite possible for a non-official Indian to be equally capable of examining the evidence. But the only reason, as far as I am concerned, that we did not suggest it is that we found some difficulty in the case of the special tribunals in getting men to come on, as they had other work to do. It is difficult to get men, specially pleaders, to give up their time exactly at the moment when the case is ready.

With regard to the two Judges, they are under us and we can tell them to come at any time and place to examine the papers. In regard to independent legal practitioners we have no hold over them and it is difficult to fit in the time of the non-official gentlemen with that of the Judge.

The second reason is that we have to pay the non-officials. The non-officials in the tribunals were paid a certain honorarium per diem, and certainly there was a feeling in the Select Committee that we should not adopt any procedure, unless it was absolutely necessary, which

would involve a further expense. These are the reasons why we did not suggest non-officials, and these are the reasons why I am not accepting Babu Indu Bhushan Dutta's amendment and prefer to stick to the recommendations of the Select Committee.

The motion was then put and lost.

Rai Dr. HARIDHAN DUTT Bahadur: I move that in clause 5(*1*), for the words "two advising Judges," in line 6, to the end of the clause, the following be substituted, namely:—

"Three advising Judges consisting of—

(*i*) a District and Sessions Judge of Alipore and Hooghly;
(*ii*) the Chief Presidency Magistrate of Calcutta; and
(*iii*) a non-official legal practitioner of at least 15 years' standing."

I take my stand here not with that very idea which has been expressed by Babu Indu Bhushan Dutta, but with a spirit of hopefulness, for I believe, Sir, if I have a good case to fight, and if I can convince the Hon'ble the Member in charge of the Bill, he will still find his way to accepting the suggestions that I have embodied in my statement. Now the Bill has been passed by the Select Committee and they have formulated the proposal of two advising Judges. I was one of them who, when the Bill was first considered in this Council, suggested that there should be an advisory board to make the final recommendation. I am thankful to the Select Committee for accepting our suggestion, which was thrown out then in this Council by some of the members. But, Sir, what has disappointed me is to find that this advisory board should consist of two Government officials only. I have found that to create public confidence, it is necessary that the Government officials should associate with non-official gentlemen so far as it is practicable and possible. With a view to meet that point, I have suggested that amongst the advising Judges, one should be a non-official person. I have been unable to understand why, when the Bill has been extended outside Calcutta and places like Howrah and other places have been included within its purview, the District and Sessions Judge at Alipore has been singled out as the only person who will sit as one of the advising Judges. That is my reason and justification for suggesting that amongst the advising Judges the selection need not be confined to Alipore but it should be extended to other places also, and I have suggested Howrah, because Howrah is vitally interested in this Bill also.

My second suggestion is that the Chief Presidency Magistrate should be one of the advising Judges. I have been unable to understand why in a tribunal like this the Chief Presidency Magistrate who, I may say, is the head of the criminal judiciary in Calcutta, should be excluded. Sir, in Calcutta all criminal cases are ordinarily disposed of by the Chief Presidency Magistrate; and in a matter like this, when he

is already a Government servant and is available at any time, I fail to understand why his services should not be availed of.

Then, Sir, I come to my last suggestion, viz., a non-official legal practitioner of at least 15 years' standing. The principal reason which has prompted me to move my amendment is to ensure public confidence. My friend, Babu Indu Bhushan Dutta, has already spoken about it, and I reiterate that if you want to take the public with you in the administration of your policy, it is extremely desirable that you should secure the help, co-operation, and aid of non-official persons. I have not suggested a young man or any man who could not be relied upon, but I have suggested a legal practitioner of at least 15 years' standing. I believe the High Court bar, the Police Court bar, and the other bars in Calcutta will be able to supply you one who would be willing and would be public-spirited enough to take up this work, even without any remuneration if that be your difficulty.

The Hon'ble the Member in charge of the Bill pointed out when replying to amendment No. 27 that he had two difficulties in the way of non-officials being appointed to the board. The first is that the non-official member may not find his time fit in with that of the Judge, and the second is one of expense. But, I cannot attach much importance to these difficulties. I cannot understand why a legal practitioner cannot be expected to devote half an hour, or three-quarters of an hour or at the utmost an hour in conjunction with the Chief Presidency Magistrate or the District and Sessions Judge to try two or three cases which may occasionally come before them. I think that the question of appointing a non-official is not so difficult or impracticable.

As regards the pay and expenses, the Government has spent so large a sum of money in criminal prosecutions here, there and almost everywhere that an additional few hundreds of rupees would not make much difference; and even when I venture to suggest that if a non-official legal practitioner is taken in, there will be no dearth of legal practitioners, and some can do this work even without remuneration. Another point that strikes me is that if my proposal is accepted, the difficulty about any difference of opinion that may arise would be met. Supposing these two advising Judges come to different opinions and they cannot agree, what would be the state of affairs then? If the Hon'ble the Member in charge of the Bill accepts the proposal that I have made, viz., that the board should consist of three persons, presumably there would be no difficulty in coming to a decision by a majority. That is all I have to say in favour of my proposal, and I leave it to the Hon'ble the Member to consider whether he cannot accept it.

Babu JATINDRA NATH BASU: I move that in clause 5(*1*), lines 6 to 10, for the words beginning with "two advising Judges" to the end the following be substituted, namely:—

"the board consisting of three persons, of whom one shall be the Chief Presidency Magistrate of Calcutta, one shall be a

District and Sessions Judge, and one shall be a legal practitioner of at least 15 years' standing."

As regards the constitution of the tribunal before whom the charges are to be investigated, various suggestions have been made. The Bill provides that the tribunal should consist of two advising Judges, one of whom shall be the District and Sessions Judge of Alipore and the other another District and Sessions Judge. This provision is far from satisfactory. The Judge should have knowledge of crimes peculiar to Calcutta and the neighbourhood and should have experience in dealing with such crimes.

I do not deny that District and Sessions Judges have a certain amount of experience in dealing with crimes in general, but the particular crimes which are intended to be dealt with in the Bill are a peculiar feature of the criminal life of Calcutta and it cannot be expected that District and Sessions Judges who have no experience in dealing with such crimes should be in a position to give valuable aid in deciding upon cases of goondas that might be brought before them. While I do not minimize the judicial knowledge and capacity of lawyers in the public service such as Judges and Magistrates, it has in all juridical systems been deemed to be necessary that official lawyers should have the advice and assistance of independent lawyers in the trial of cases. As an ordinary trial is being dispensed with under the provisions of the Bill, the defect in the system that is going to be created will be remedied if the tribunal consists, in addition to official lawyers, of at least one independent lawyer to bring in the fresh blood that is sometimes necessary to meet the ends of justice. The tribunal that I have suggested is to consist of the Chief Presidency Magistrate, a District and Sessions Judge, and a legal practitioner of at least 15 years' standing. The Chief Presidency Magistrate will bring to the tribunal his large knowledge of the criminality peculiar to Calcutta, the District and Sessions Judge will contribute his experience in dealing with criminals in general, and the independent legal practitioner will contribute the unofficial and independent view of the questions that will be brought for discussion and decision.

Babu INDU BHUSHAN DUTTA: I move that in the last line of clause 5(*1*), for the word "five" the word "ten" be substituted.

I do not think any speech is needed for this. It would appear that five years' experience for a District and Sessions Judge is really very, very limited; and I do not think that a Judge with only five years' experience is able enough to sift the evidence properly. Therefore, my suggestion is, that the Judge must have at least 10 years' experience.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I move that in clause 5(*1*), at the end, the following be added, namely, "stationed at Alipore, Howrah or Hooghly."

My amendment is more in the interest of economy than of anything else. It strikes me that the District and Sessions Judge at Alipore has been named and selected because he so close by. His services can be utilized at any moment. So I think if the section stands as it does, then the other District and Sessions Judge should be brought from a place near by, that is to say, from Alipore, Howrah or Hooghly. So that if a District and Sessions Judge is brought from a far-off district, more money in the shape of travelling allowances and other allowances will be spent. I therefore think it is rather better that some Judges should be available in either of these districts, Alipore, Howrah or Hooghly. So I beg to move that at the end in clause 5(*1*), the words "stationed at Alipore, Howrah or Hooghly" be substituted.

Babu NITYA DHON MUKHERJEE: I oppose the amendmnets which suggest that the Chief Presidency Magistrate should sit on the board to try these cases. I do not know what the outside public in Calcutta think of the Chief Presidency Magistrate. But I know that he is looked upon by many as a glorified police officer. It has been suggested by Babu Jatindra Nath Basu that he has first-hand experience of recording evidence, and so will be better able to discharge the duties on the board. Sir, in the trial of these cases no evidence will have to be recorded. The District and Sessions Judges have got great experience in the trial of cases over which no Presidency Magistrates or District Magistrates have any jurisdiction at all. They try big original cases of civil and criminal jurisdiction and they know how to sift evidence far better than the Magistrates. Therefore, I think, that the inclusion of the Presidency Magistrate on the board should not be allowed.

Babu AMULYA DHONE ADDY: I have much pleasure in supporting the amendment of Dr. Haridhan Dutt. The decision of this bench is to be final and extraordinary measures are going to be taken. There is no appeal to the High Court. It is therefore desirable that the members of this bench should be increased and they should be experienced. A Sessions Judge who serves for a period of five years will not suffice and, Sir, I think the Chief Presidency Magistrate is the proper authority who is in a position to decide cases like these. As I have already said extraordinary powers are going to be vested in this bench, it is advisable that this bench should co-operate with an experienced Indian legal practitioner. That is the suggestion which has also been made by the Bengal National Chamber of Commerce. I do not think there would be any difficulty in securing the services of such a legal practitioner, because I may draw attention to the composition of the Special Tribunal under the Calcutta Improvement Act. With these remarks, I support it.

The Hon'ble Mr. H. L. STEPHENSON: There is no point of principle involved in my opposition to these amendments except that I deprecate the amendment which suggests that this advisory board

should consist of three members. Surely, Sir, if there are two Judges or if there are one Judge and a legal practitioner of 15 years' standing, they are enough for the purpose of going through the papers regarding common badmashes, to decide whether they are to be driven out of Calcutta or not. It would be a great mistake to overweight the advisory board and make the thing too big.

Coming to the various amendments, Rai Dr. Haridhan Dutt Bahadur is unaware why the District and Sessions Judge of Alipore has been particularly singled out. I do not know whether he suspects some sinister motive, but the reason is very simple. The District and Sessions Judges of Alipore are generally the most senior in service. They are posted to Alipore towards the end of their service. We have, therefore, selected the District and Sessions Judge of Alipore so that it would always necessarily give us a senior and experienced Judge. If we had one Judge from Alipore, a senior man, the other Judge may be selected from anywhere. If we are going to have two Judges, I think there are great advantages in not tying down Government. As regards the second Judge, a Judge from Howrah or Hooghly would usually be employed; but it may be inconvenient to take him away if he is trying an important case, and it may be most convenient at times to put the Legal Remembrancer on the board. He has been employed on that sort of work before. Therefore, except in the case of Alipore, for the purpose of obtaining a senior Judge, I would deprecate the Council tying down the hands of Government in any way. That deals with the amendment of Rai Nibaran Chandra Das Gupta Bahadur.

As regards the amendment of Babu Indu Bhushan Dutta substituting "ten" for the word "five" I would remind Babu Indu Bhushan Dutta that a civilian Judge with three years' experience is considered to be experienced enough to go into the High Court, and a subordinate Judge with five years' experience is considered under the Government of India Act to be fit for the High Court. Surely if a man of that experience is considered suitable to be appointed a High Court Judge, he is experienced enough to deal with the papers relating to badmashes of this kind. I would point out to Babu Indu Bhushan Dutta that he is probably confusing "service" with "judicial service." The Bill, as it stands, makes it necessary that the second Judge shall be one who has served as such for a period of not less than five years, that is to say, if he is an I.C.S. man, he has probably put in 12, 13 or 15 years' service. He must have five years' actual service as a Judge irrespective of his training or service as a Magistrate. There is another slight incidental objection; if this amendment were accepted it would put difficulties in the way of appointing to this board an Indian Judge recruited from the bar. Take the case of the Alipore Judge, Mr. K. C. Nag. Under this amendment he would have to serve 10 years before he can be appointed to the board.

Co[illegible] the main amendments which stand in the name of Babu Jatindra Nath Basu, and Rai Dr. Haridhan Dutt Bahadur, as I have already said, there is no question of principle involved in my opposition, though I do strongly object to overweighting the advisory board. Therefore, whatever we do, I would urge the Council not to have three men on the board.

As regards the appointment of a non-official legal practitioner of the board, personally I have no objection whatever. But I imagine that the reason why it did not occur to us to put him, apart from the objection which has been urged in this Council by at least one member, was that there is only one Chief Presidency Magistrate and we have 27 Judges and so it would be easier to get one Judge out of 27 than the only Chief Presidency Magistrate.

As regards the appointment of a non-official legal practitioner of 15 years' standing, I have already spoken on the subject and given my reasons why I prefer to adopt the proposals of the Select Committee. Since then I have been informed by one who ought to know that it would be practically impossible to get a legal practitioner of 15 years' standing to sit on the board either free or for a remuneration which we gave in the case of special tribunal Judges, that is, Rs. 50 a day.

Rai Dr. Haridhan Dutt Bahadur has an inadequate idea of the amount of work that is going to be involved. It is not merely a question of sitting down and saying—"I do not like the look of that fellow, let him be sent out of Calcutta." The Judges will have to go through the papers and also to see whether there is sufficient evidence or whether further evidence is required. I am afraid it is not a case of half an hour or an hour's work occasionally, it is going to take a very considerable time as there is a large number of these goondas.

In conclusion I repeat again that there is no question of principle involved in my opposition, but the amendments do not seem to me as good as the original proposal.

Rai HARIDHAN DUTT Bahadur: May I put a question to the Hon'ble the Member?

Mr. PRESIDENT: Yes, only a question.

Rai HARIDHAN DUTT Bahadur: The Hon'ble the Member objects to the appointment of three members to the board, but if there were only two members and if they happened to differ, what would happen in such cases?

The Hon'ble H. L. STEPHENSON: I think we have a separate amendment on this point and I will deal with that when the time comes.

Mr. PRESIDENT: Rai Dr. Haridhan Dutt Bahadur asked for permission to alter his amendment in the following form. It is merely a change of phraseology, the substance remains the same:—

"That clause 5 be amended by the omission in sub-clause (*1*) in line 6 of the words 'two advising Judges' to the end of the clause and the substitution of the following words:—

'Three advising Judges, of whom one shall be the Chief Presidency Magistrate of Calcutta, one shall be a District and Sessions Judge of Alipore or Howrah, and one shall be a non-official legal practitioner of at least 15 years' standing.'"

The amended motion was then put and a division was taken, with the following result:—

AYES.

Addy, Babu Amulya Dhone.
Afzal, Nawabzada K. M., Khan Bahadur.
Ali, Munshi Amir.
Arhamuddin, Maulvi Khandakar.
Banerjea, Dr. Pramathanath.
Basu, Babu Jatindra Nath.
Bhattacharji, Babu Hem Chandra.
Chaudhuri, Babu Kisheri Mohan.
Chaudhuri, Rai Harendranath.
Chowdhury, Maulvi Fazlal Karim.
Das, Babu Shishmadev.
Das Gupta, Rai Bahadur Nibaran Chandra.
Dess, Rai Bahadur Pyari Lal.
Dutt, Rai Bahadur Dr. Haridhan.
Dutta, Babu Indu Bhushan.
Ghose, Rai Bahadur Jogendra Chunder.
Huq, Maulvi Ekramul.
Karim, Maulvi Fazlul.
Khan, Babu Debendra Lal.
Makramali, Munshi.
Mukhopadhaya, Babu Sarat Chandra.
Mullick, Babu Nirode Behary.
Nasker, Babu Hem Chandra.
Ray, Kumar Shib Shekhareswar.
Ray Chaudhuri, Mr. Krishna Chandra.
Rishi, Babu Rasik Chandra.
Roy, Babu Jogendra Krishna.
Roy, Babu Jogendra Nath.
Roy, Babu Nalini Nath.
Roy, Mr. Bijoyprasad Singh.
Roy, Rai Bahadur Lalit Mohan Singh.
Roy, Raja Manilell Singh.
Salam, Khan Bahadur Maulvi Abdus.
Sarkar, Babu Jogesh Chandra.
Sarkar, Babu Rishindra Nath.

NOES.

Ahmed, Maulvi Azaharuddin.
Ali, Munshi Ayub.
Banerjea, the Hon'ble Sir Surendra Nath.
Birley, Mr. L.
Bose, Mr. S. M.
Chaudhuri, Maulvi Shah Muhammad.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.
Clarke, Sir Reginald.
Deare, Major-General S. H.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Donovan, Mr. J. J.
Emerson, Mr. T.
Farequi, Mr. K. C. M.
Forrester, Mr. J. Campbell.
Ghose, Mr. D. C.
Goode, Mr. S. W.
Harnett, Mr. W. W.
[illegible] Mr. G. T.
Khan, Maulvi Md. Rafique Uddin.
Lang, Mr. J.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble the.
Marr, Mr. A.
McAlpin, Mr. M. C.
Mitter, the Hon'ble Mr. P. C.
Morgan, Mr. C.
Mukherjee, Babu Nitya Dhon.
Mukherji, Professor S. C.
Prentice, Mr. W. D. R.
Rahim, the Hon'ble Sir Abd-ur.
Ray, Rai Bahadur Upendra Lal.
Roy, Mr. C. N.
Roy, Mr. J. N.
Skinner, Mr. H. E.
Stephenson, the Hon'ble Mr. H. L.
Stuart-Williams, Mr. S. C.
Villiers, Mr. F. E. E.

The Ayes being 35 and the Noes 37, the motion was lost.

Mr. PRESIDENT: Order, order! I want to make it quite clear to the hon'ble members that five minutes or six minutes at the outside is allowed for passing through the lobbies. If the hon'ble members choose to remain in conversation instead of going to the lobbies next time, the doors will be locked at the conclusion of the allotted time and they will not be allowed to vote.

Mr. PRESIDENT: The motion standing in the name of Babu Jatindra Nath Basu, being identical with that of Rai Dr. Haridhan Dutt Bahadur, falls to the ground.

The motion standing in the name of Babu Indu Bhushan Dutta was then put and lost.

The motion standng in the name of Rai Nibaran Chandra Das Gupta Bahadur was then put and lost.

The following motion standing in the name of Mr. Ajoy Chunder Dutt being absent, was, in the absence of the member deemed to be withdrawn:—

"That in clause 5(2), lines 1 and 7, for the word 'shall' in the two places in which it occurs the following be substituted, namely: 'may also, if they think fit.'"

Mr. PRESIDENT: The following amendment standing in the name of Rai Nibaran Chandra Das Gupta Bahadur falls to the ground:

"That in clause 5(2), line 4, after the word 'representation,' the words 'or the cause shown' be inserted."

The following amendment standing in the name of Rai Mahendra Chandra Mitra Bahadur, was, in the absence of the member, deemed to be withdrawn:—

"That in clause 5(2), line 5, after the word 'person,' the words 'or by an agent of the person' be inserted."

Kumar SHIB SHEKHARESWAR RAY: I move that in clause 5(2), line 8, after the words "information, if any," the words "and may examine witnesses" be inserted.

My amendment has the effect of enabling the Judges, if they think necessary, to examine witnesses. This clause as it stands at present makes the advising Judges always look up to the local Government for whatever information might happen to come dribbling down to them from the executive, which in this case, is merely the police. The advising Judges are absolutely fettered: they cannot of their own motion do anything, even if they are of the deliberate opinion that the interests of justice require something more than being merely police-fed. My suggestion in the amendment is that if on the perusal of a report the Judges think that it would be proper to have the important witnesses examined by themselves, then they should be empowered to

do so. My amendment is a merely enabling one, the examination of witnesses rests solely in the discretion of the Judges. I hope that the Hon'ble Member will not oppose this very mild amendment. For his opposition would only betray his lack of faith in the discretion of the advising Judges. We all know, Sir, that statements of witnesses may sometimes look very fair and convincing on paper, but their falsity is often detected when a few questions are put to those witnesses from their demeanours, from their shufflings and prevarications. Sir, the idea that it might encumber the Judges and introduce complication in their duties is, if I may be permitted to say so, frivolous. Justice and human liberty are immeasurably superior to such inconveniences. I do hope the Hon'ble the Member in charge will not oppose this very simple safeguard against a perpetration of injustice. I need hardly add that I do not suggest any cross-examination on behalf of the accused.

The Hon'ble Mr. H. L. STEPHENSON: With regard to this amendment there is no question whether I trust a Judge or not. I certainly trust the Judges. These Judges have sufficient power to call for any further information that they may require. If the member thinks that this is not sufficient, I will not have any objection to giving them power to call witnesses, but in that case, I would put in the proposed amendment after the word "information" and before the words "if any."

Mr. PRESIDENT: Order, order! The amendment as redrafted has taken a slightly different form. The question therefore is that clause 5 be amended by the omission in line 8 of sub-clause (2) of all the words after the words "if any" down to the word "report" in line 10 and by the substitution therefor of the following words—"and may examine such witnesses, if any, as shall appear to them to be necessary to enable them to tender their advice on the report."

The amended motion was then put and agreed to.

Kumar SHIB SHEKHARESWAR RAY: I move that in clause 5(2), line 10—

(*i*) for the word "may" the word "shall" be substituted; and
(*ii*) the words "if they think fit" be omitted.

This amendment would have the effect of enabling the accused person to appear as a matter of right before the Judges. It is unthinkable that a man should be condemned in his absence. Even an extraordinary measure like the Goondas Bill should not be so framed as to be unduely harsh and unjust. The Hon'ble the Member has in course of the debate asked us not to encumber these Judges with various duties. Sir, I am sorry to say that it only betrays a very unfortunate thing, a temperament which is prone to shirk the essential duties. For what should be the proper duties of these advising Judges? What is the purpose in having them, in making provisions for them? Is it not to

see that justice is done and proper advice tendered to the local Government? And should not the Judges, in the furtherance of justice, cheerfully undergo all such troubles? The mentality that has been evinced to-day makes me fear that it might be catching, and the Judges might take the cue from the Hon'ble the Member and always exercise their discretion in lessening their own troubles, no matter what happens to the poor accused. It is therefore that there is all the more reason that the discretion of the Judge should be so guided as to allow in every case an opportunity to the alleged goonda to have his version properly represented to the Judge by himself. Any opposition to this primary right of a man to defend his case personally can only be construed as a license to the perpetration of an abominable high-handedness in the sacred name of justice.

Mr. DEPUTY-PRESIDENT (Babu Surendra Nath Ray): I have very great pleasure in supporting this amendment. I really cannot understand why an accused person, be he a goonda or an honest man, should be deprived of his right to appear before his Judge and represent his grievances or his case before him. It is a well-known fact, probably known to everybody here, that in all criminal cases the accused has to appear before the trying Magistrate unless he himself wants not to appear before him and wants to be excused from personal attendance. Why should not this simple amendment be accepted by Government? I hope Government will see its way to accept it.

Mr. BIJOYPROSAD SINGH ROY: I rise to support this amendment. It is inconceivable that in these days of culture and civilization, when liberty is the watchword, a man should be condemned unheard. Even in the days of the Court of Star Chamber the accused had the right to appear before the Judges. So I do not think that Government should object to this amendment. I quite appreciate the Hon'ble the Member's remarks, that goondaism is a serious disease; it is cancer which requires heroic treatment. But I am afraid that in our zeal to operate we may kill the patient and then repent like a rash surgeon that though the operation was successful the patient died of heart failure; we must not encroach upon the liberty of the people in trying to stamp out goondaism from Calcutta.

Babu AMULYA DHONE ADDY: I have much pleasure in supporting this amendment. However guilty an accused might be, it is absolutely necessary that he should be allowed an opportunity to defend himself. It is the British sense of justice which demands it. We cannot come to a correct conclusion unless and until we hear both the parties.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I am opposed to the drastic provisions of this Bill, but I am bound to say that here the word "may." would ordinarily mean "shall," but my friends there

are anxious that this "may" should be changed to "shall," and I therefore consider that the Hon'ble Mr. Stephenson should agree to this.

The Hon'ble Mr. H. L. STEPHENSON: Personally I am in favour of giving discretion to the advising Judges. It seems to me that they are in a better position to decide whether it is a waste of time to see the accused or not. The motion seems to me to transfer the distrust generally reserved for the executive to the judiciary. The mover has not, as I have, seen this Rogues' gallery of 394 photographs. I can solemnly assure him that not a single one of them in that Rogues' gallery will not do himself infinite harm by appearing before the Judge. But there seems to be a certain amount of feeling in favour of this amendment in the Council. It is not a matter of principle at all, and I should be perfectly prepared to accept it with the addition of the words "if he so desires." Otherwise there may be complications and the goonda may say afterwards that although he did desire, he was not given an opportunity.

The section will then run as follows:—

> "They shall also give to the person against whom the report has been made, if he so desires, an opportunity of appearing in person, etc., etc."

Is the mover willing to accept that?

Kumar SHIB SHEKHARESWAR RAY: I think I should accept that.

Mr. PRESIDENT: The question before the House is that clause 5(2), be amended by the substitution in line 10 of the word "shall" for the word "may" and further by the omission of the words "if they think fit" in the same line and further by the addition after the word "made" in line 11 of the words "if he so desires."

The motion was put and agreed to.

The following amendment standing in the name of Rai Fanindralal De Bahadur was covered by the previous decision—

> "That in clause 5(2), lines 10 and 11, for the words 'They may also, if they think fit, give to the person against whom the report has been made,' the following be substituted, namely:—
>
> 'They shall also give to the person against whom the report has been made, if he so desires.'"

The following amendments standing in the name of Mr. Ajoy Chunder Dutt were, in the absence of the member, deemed to be withdrawn:—

> "That in clause 5(2), line 12, after the words 'of appearing in person' the words 'or by pleader' be inserted."

"That in clause 5(2), line 13, for the word 'may' the word 'shall' be substituted.

"That in clause 5(2), lines 13 and 14, after the words 'at the instance of that person' the words 'or his pleader' be inserted."

Babu JATINDRA NATH BASU: I beg leave to withdraw the following amendment standing in my name:—

"That in clause 5(2), line 15, after the words 'may support that explanation' the words 'or may rebut the report' be inserted."

The amendment was then, by leave of the Council, withdrawn.

Kumar SHIB SHEKHARESWAR RAY: I move that clause 5(2) (*a*) be omitted. It runs as follows:—

"Nothing in this section shall be deemed to entitle the person whose case is before the advising Judges to appear or be represented before them by pleader, nor shall the Local Government be so entitled."

This proviso is absolutely iniquitous. No doubt the public need protection from the goondas, but do not the persons alleged to be goondas need protection before they are adjudged to be such? Knowing as some of us do the nature of the police and the condition of the general mass, we are pretty sure that most of the persons who would actually be hauled up would be the poor illiterate. They mostly would not be able even to understand the nature of the proceedings against them, and as for representing their case, they would be the last persons to do it properly. Even educated people, when they are themselves accused, require the help of able lawyers to represent them. Most of us here know that even in matters which are not before any court, but which require proper representation before the officials, how we require the help of lawyers to do it. In these cases they do not appear in their legal capacity but only act as our agents or representatives. Here in the case of goondas too, we only require them to act as such. Lawyers, in spite of all their faults, and in spite of all the silly abuses heaped on them, are a very useful body of people. They by their training and habit know how to place things properly and to express clearly the defects and blemishes of the opposite point of view. If the alleged goondas be deprived of their assistance, I am afraid they through their ignorance and confusion would misrepresent or fail to represent at all their own cases, and thus meet with an undeserved punishment. I cannot understand the mentality of the Hon'ble the Member when he first bans the presence of the accused person before the Judges. However, I am glad that he has changed his attitude. Now I think that he is afraid that the lawyers of goondas will be something formidable and

should be avoided. Are we seriously to understand that the Judges might be afraid of the goondas too? Should they also quail before the lawyers, who are as a rule enlightened and harmless people? They are not goondas, whatever they might be. I hope that the House will agree with me in deleting—I might say—the mischievous clause.

Mr. PRESIDENT: Rai Nibaran Chandra Das Gupta Bahadur, do you wish to speak? We shall also take the next two motions.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I am surprised to find that an embargo is going to be put on lawyers and particularly pleaders. Of course though the procedure laid down is very summary, I do not think that there is any reason for putting in "clause (*a*)" simply to exclude pleaders, because goondas generally do not belong to universities. They come from a class of people, who are unable to make any "representation" whatsoever, and the Hon'ble mover of this Bill has already told us that the word "representation" is comprehensive enough and he might make any representation. The expression "to show cause" is much better than "to make a representation," and such a representation is not likely to be made properly and adequately by a goonda himself. Of course, there may be a very learned goonda, but, generaly speaking, ordinary goondas canot make proper representations. There should be somebody to make some representation on his behalf, and if a pleader is so much dreaded because he wastes the time of the court by putting unnecessary questions to witnesses, where there will be no evidence, there is no chance of any pleader wasting the court's time. He will simply appear for the goonda taking instructions from him and submit a representation to the advising Judges. I do not think that there is any harm in that. Why a pleader—even a third person, an educated man who can prepare a "petition" may make a submission about the goonda. I think that he will be also quite competent to appear for him as his agent. Instead of a pleader, if he be so objectionable, it may be put down as agent. If that is acceptable to the hon'ble mover, I think that it would serve all possible purposes, and objections to the appearance of anybody else before these advising Judges should not be raised.

Babu JATINDRA NATH BASU: When you are entrusting the trial of cases against goondas to a qualified tribunal, I do not see why you should not leave it to the same tribunal to decide as to what kind of hearing they will give to the accused person. It may be necessary for the tribunal to have certain vague and indistinct circumstances elucidated by evidence or by a personal explanation by the accused or any representative of his. The Bill should not make it impossible for the tribunal to have the assistance it might require. While the Bill provides for the limitation of the liberty of the individual, it should not at the same time limit the discretion of the court. Further, having

regard to the amendment which the hon'ble mover has accepted to clause 5(2) by which the right is given to the accused person to appear if he so desires, if sub-section (2) (a) is allowed to stand as it is, it will conflict with the amendment that has been passed. I would therefore ask the Hon'ble the Member in charge of the Bill to consider whether this amendment should be accepted.

The following amendment standing in the name of Rai Fanindralal De Bahadur was, in the absence of the member, deemed to be withdrawn:—

"That in clause 5(2) (a), line 3 the words 'appear or' be omitted."

Rai HARENDRANATH CHAUDHURI: After the observations made by the previous speakers, I do not think that very many words are necessary in support of my amendment. I need only point out that while the previous ones only take away the disabling clause, my amendment only puts it in an enabling form. It has been rightly said that there is absolutely no reason why an accused under this Act should not be allowed even to appear by a pleader. Sir, this Act provides for such a drastic punishment as deportation. It provides for an extra-judicial procedure such as trial *in camera*, if revision of the records by two judges can at all be called a trial. It gives wide berth to the rules of law, especially to those of the Evidence Act. Even if under these circumstances you do not allow an accused to be represented by a pleader, is it not going too far? Is it not denying him every assistance and facility to represent his case? As my friend, Rai Nibaran Chandra Das Gupta Bahadur, has very rightly pointed out, the goondas are not always learned men, and it will be simply shutting them out from entering any defence at all. It will be making it impossible for them to represent their case if you do not allow them to appear or to be represented by a pleader. At least, if you concede this much only, you take away nothing from this Bill. All the other provisions stand, and I do not think that the objects of this Bill could in any way be frustrated if only this concession was made.

I move that in clause 5(2) (a) for the word "entitled" in the two places in which it occurs, the word "disentitled" be substituted.

Mr. F. E. E. VILLIERS: Unlike the great Lord Clive, who was surprised at his own moderation, I stand amazed at the moderation of those gentlemen who have seen fit to move this amendment. It seems to me that it would have been so much simpler for everyone, if they moved an amendment to withdraw the Bill entirely. Here we are facing a Bill which is meant definitely to short-circuit, so far as it is consistent with justice, the ordinary process of law on the one hand, while on the other we have members, presumably intelligent members, trying to introduce an amendment which will absolutely defeat the very object for which the Bill has been introduced. I have none of those

false feelings of tenderness towards the goondas which have been so much in evidence during the past two days. I entirely agree with the amendment that has just been carried and which was put forward by Kumar Shib Shekhareswar Ray to the effect that the accused or the alleged misdemeanant should have the chance of appearing before his Judges; but surely to go further and to say that the process should take on the full form of law is utterly to defeat the essentials of the Bill which we are here considering. Indeed it seems to me that the improvidence with which a certain section of the House is dealing with the goonda question is very like a story I once heard about an improvident oyster. There lived an oyster, a foolish and an extremely thoughtless oyster. He used occasionally to peep out of his shell to see how things were going on. In spite, however, of the advice of his fellows that he should pay more attention to the dangers round him, he refused to alter his habit of merely occasionally having a look out. Well, one day this improvident oyster peeped out of the shell to find himself on a table with a bottle of champagne on one side and a bottle of red pepper on the other, a bottle of vinegar in front and a knife at his throat. It seems to me that the spirit in which a certain section of the House is now approaching this goonda question is not unlike that with which the oyster viewed the question of the dangers which surrounded him. We must realize that the essence of this Bill, is that it should empower Government to deal with the goonda question in as summary a manner as is consistent with justice; and that any attempt to turn it into the ordinary process of law must obviously defeat this purpose.

Babu INDU BHUSHAN DUTTA: We are very grateful to Mr. Villiers for trying to keep us amused by his laboured attempts at sarcasm at this time of the day. I think that his habit of flying over the heads of people has made him forget the practical difficulties of the law courts; that is why he cannot see the absolute urgency of an amendment like this. As I am not a lawyer myself, I hope that it will not be suspected that when supporting this amendment, I am only trying to increase my field of activities. Nothing of the sort. Without being a lawyer, I find great difficulty in representing my case before a court; and how much more difficult it would be for an ordinary, ignorant man to put his case clearly; and even a goonda ought to try to defend himself, to put his case succinctly and clearly before the court. So, it is all the more necessary that he should be given a chance to defend himself. It is the first elementary principle of all English law, and I hope that the Hon'ble Member has not forgotten those principles of English law.

The Hon'ble Mr. H. L. STEPHENSON: In the first place, I claim Babu Jatindra Nath Basu as my supporter. The Bill, as it stands, provides exactly what he says we ought to provide. It gives the Judges

the power to hear pleaders if they think it necessary. It leaves the discretion with the Judges, and we have met his wishes in every possible way. I shall therefore claim his vote.

There seems to be a certain amount of misapprehension about this. The clause which is objected to says "provided that nothing in this section shall be deemed to entitle a person whose case is before the advising Judges to appear or be represented before them by a pleader, nor shall the Local Government be so entitled." In the first place, this does not in any way hamper the discretion of the Judges. They can, if they like, allow a pleader. They can, if they like, ask Government to be represented by a pleader. In the second place, nothing in this section prevents a goonda from employing a pleader to draw up his representation which he submits to the advising Judges. That ought to meet Rai Nibaran Chandra Das Gupta Bahadur's point, and I think that it really meets all the other points that have been raised. What is it that the pleader has to put before the advising Judges? How is he to help the goonda? Surely the important thing is the representation that the goonda makes to the advising Judges. There is nothing to prevent legal aid there. If a pleader does appear before the advising Judges on behalf of a goonda, what is he going to do? He cannot see the evidence, he cannot hear witnesses, what is he to do? What representation is he to make? How is he to help the goonda? As has been pointed out, the House has deliberately come to the conclusion that in dealing with this menace, we have got to have executive procedure and they have deliberately discarded judicial procedure. Why then cling to the judicial technicalities? The pleader can do nothing to help the goonda in the court. All he can do is to make a speech. He cannot test the evidence. He cannot examine the witnesses and he does not even know who the witnesses are. All he can do is to put into legal language, his own language, what the goonda wishes to say. He can do this when he drafts the representation of a goonda. The objection I have to this proposal is, firstly, that it is useless allowing the pleaders to come in as a right; secondly, that if you have the pleaders in, all the niceties of legal technicalities will inevitably follow, and that is what the House, I understand, undoubtedly wishes to avoid. They wish to cut themselves free from legal technicalities which have prevented their dealing with the evil before. Therefore both on the ground that the amendment would be useless and also on the ground that it would be unnecessary, I oppose it.

Supposing the amendment is carried, what will be the effect? Had any of these legal gentlemen who moved the amendment, considered what the effect would be? Personally I have not the remotest idea. I do not know whether it would mean that the Judges would be forced to hear the pleaders or whether it would leave matters just as they were. Personally I am inclined to think that it would leave matters

as they were. It would leave the discretion to the Judges to hear the pleaders or not. I think, however, that it is more straightforward, if we do not wish the pleaders to come in as a matter of right, to say so definitely in the Act.

Kumar SHIB SHEKHARESWAR RAY: May I put one question?

Mr. PRESIDENT: Please!

Kumar SHIB SHEKHARESWAR RAY: The Hon'ble Mr. Stephenson was in charge of internment proceedings. At that time did he not find the lawyers very helpful?

Mr. PRESIDENT: Order, order! I thought that you were going to ask a pertinent question.

The amendment of Kumar Shib Shekhareswar Ray was then put and a division taken, with the following result:—

AYES.

Addy, Babu Amulya Dhone.
Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ahmed, Munshi Jafar.
Ali, Mr. Syed Erfan.
Ali, Munshi Amir.
Banerjea, Dr. Pramathanath.
Barma, Rai Sahib Panchanan.
Basu, Babu Jatindra Nath.
Chaudhuri, Babu Tankanath.
Chaudhuri, Khan Bahadur Maulvi Haftzar Rahman.
Chaudhuri, Rai Harendranath.
Chowdhury, Maulvi Fazlal Karim
Das, Babu Bhishmadev.
Das Gupta, Rai Bahadur Nibaran Chandra.
Dutta, Babu Indu Bhushan.
Ghose, Rai Bahadur Jogendra Chunder.
Karim, Maulvi Fazlul.
Khan, Maulvi Hamid-ud-din.
Makramali, Munshi.
Mukherji, Professor S. C.
Mukhopadhaya, Babu Sarat Chandra.
Mullick, Babu Nirode Behary.
Ray, Kumar Shib Shekhareswar.
Rishi, Babu Rasik Chandra.

NOES.

Ahmed, Maulvi Azaharuddin.
Ali, Mr. Syed Nasim.
Ali, Munshi Ayub.
Banerjea, the Hon'ble Sir Surendra Nath.
Banerjee, Rai Bahadur Abinash Chandra.
Birley, Mr. L.
Bose, Mr. S. M.
Carey, Mr. W. L.
Chaudhuri, Maulvi Shah Muhammad.
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur.
Choudhury, Khan Bahadur Maulvi Rahmatjan.
Clarke, Sir Reginald.
Cohen, Mr. D. J.
Colvin, Mr. C. L.
Crawford, Mr. T. C.
Currie, Mr. W. C.
Das, Mr. S. R.
Deare, Major-General S. H.
Dey, Mr. C. C.
Donald, the Hon'ble Mr. J.
Donovan, Mr. J. T.
Emerson, Mr. T.
Forrester, Mr. J. Campbell.
Goode, Mr. S. W.
Hornell, Mr. W. W.
Huntingford, Mr. C. T.
James, Mr. R. H. L. Langford.
Khan, Mr. Razaur Rahman.
Lang, Mr. J.
Law, Raja Reshee Case.
Maharajadhiraja Bahadur of Burdwan, the Hon'ble the.
Marr, Mr. A.
McAlpin, Mr. M. C.
Mitter, the Hon'ble Mr. P. C.
Mukherjee, Babu Nitya Dhen.
Prentice, Mr. W. D. R.
Rahim, the Hon'ble Sir Abd-ur-.
Roy, Maharaja Bahadur Kshaunish Chandra.
Roy, Mr. Bijeyprasad Singh.
Roy, Mr. C. N.
Roy, Mr. J. N.
Roy, Raja Manilell Singh.
Salam, Khan Bahadur Maulvi Abdus.
Skinner, Mr. H. E.
Stephenson, the Hon'ble Mr. H. L.
Stuart-Williams, Mr. S. C.
Villiers, Mr. P. E. E.

The Ayes being 24 and the Noes 47, the motion was lost.

[At this stage (5 P.M.) Mr. Deputy-President took the Chair.]

The motion standing in the name of Rai Harendranath Chaudhuri was then put and lost.

Rai JOGENDRA CHUNDER GHOSE Bahadur: In the absence of Rai Mahendra Chandra Mitra Bahadur, I beg to move, with your permission, the amendment which stands in his name, viz.—

"That clause 5(2) (c) be omitted."

This clause runs:—

"The advising Judges shall not be bound to observe the rules of evidence and shall not permit the putting of any question which may endanger the safety of any individual."

As regards the latter part, there may not be much objection; but the first part is absolutely indefensible. We have been told to-day that trial under the Bill is not to be a legal trial. Therefore pleaders cannot be engaged. Now, Sir, there are certain elementary things which ought to be remembered in this connection. I have written a note on this point. It is as follows:—

The Goonda is after all a human being having the rights of a British subject. You are aware that the British Habeas Corpus Act applies to the citizens of Calcutta. The Goonda Act will apply both to Englishmen and to Indians. There are European goondas in Calcutta. Will any Englishman agree that there shall be a permanent law abrogating the Habeas Corpus Act? The right to be tried openly in a court of justice was secured by the Great Charter on the memorable 15th of June, 1215. It declared against all tyrants that "no free man shall be seized or imprisoned or dispossessed or outlawed or in any way brought to ruin; we will not go against any man nor send against him save by legal judgment of his peers or by the law of the land. To no man will we deny justice." To no man, says the sovereign of the British Empire, "will we deny justice." The Star Chamber that was established, which practically overrode the Charter, was abolished by the revolution in England. The defence of the realm in a time of war may for a time lead to extraordinary procedure for punishment and deportation. A few goondas in the town of Calcutta are not such a menace to the State that for them the great principles of liberty and justice should be jeopardized. There are goondas in every city in Europe, and they are infinitely more dangerous than the goondas of Calcutta. Before the bold feats of European goondas the acts of the Calcutta goonda are tame and cowardly. But nowhere have such drastic measures been employed. These are considered necessary in Calcutta on account of the supineness of the police. The Government before the Reforms would not do this. The Reformed Council of the so-called representatives of the people is required to do it. We should refuse to be parties to this procedure. This is practically giving the power to the police to deport any suspected or disagreeable person to be got rid of. Why, I ask, should

not an accused person be entitled to produce witnesses? Why should he not be allowed to engage pleaders to protect him against perjury? Why should he not be tried in open court and allowed to cross-examine witnesses? Why should not the rules of relevancy of evidence apply to him? This is denying to him the right of trial. This is denying to him the right to justice. Sir, I know, and everyone here knows, that no man here is safe against perjurers and forgerers that reign supreme in the land. I know, and everybody knows to his own cost, that no family is safe, no character is safe, the honour of no man or woman, however noble, is safe in this country. False evidence and rumours set about by malicious men hold the day. The most powerful novel of modern Bengal, the "Pallisamaj," vividly describes the life tragedies of innocent men and pure women whose characters are blasted by false evidence. In this state of things, to leave the honour and character of men in the custody of the police officer and the police informer would be suicidal. I know how even trials in courts of law lead to grave injustice in a large number of cases. But still there is some safety. Here there will be none. Goondas are few in number. The up-country goondas will soon go underground. But our countrymen have, against the first intentions of the Government which only dealt with up-country men, brought in here Bengalis also within the meshes of this drastic law—law it is not—it is merely an unlawful despotic regulation. It will bring many innocent men to grief, I am sure. All safeguards should be provided to avoid the perpetration of grave injustice to our fellow-men. I therefore strongly recommend this Council to reject the lawless procedure contained in this section by rejecting it altogether. We shall refuse to be dealt with other than as British subjects with the right to open trial and justice enjoyed by British citizens in England.

I ought to draw the attention of the Government to section 491 of the Criminal Procedure Code, which embodies the provisions of the Habeas Corpus Act, that unless and until this Act is excluded from its operation, as the State Prisoners Act and other similar Acts and Regulations are specifically excluded, the Act will have no effect. The Criminal Procedure Code shall have first to be amended.

The Hon'ble Mr. H. L. STEPHENSON: I venture to think that Rai Jogendra Chunder Ghose Bahadur is a little late in the day. The impassioned speech which we have just heard from him ought surely to have been delivered in the Council before it decided to have this Bill at all. If these Judges are to be bound by the rules of evidence, then the whole of the Bill will go by the board. The intention of the House is, as I understand it, to set up a special executive procedure for dealing with these men. If, in this executive procedure, the presiding Judges are bound in every respect by the rules of evidence, by ordinary judicial procedure, then we might as well leave things as they are. I, therefore, oppose the amendment.

The motion was then put and lost.

[At this stage the Hon'ble the President took the Chair.]

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I move that at the end of clause 5(*4*) the following be added, namely:—

"In case the two advising Judges do not agree in their conclusions, the Local Government may accept any one of them, as may appear to be reasonable and fair."

This is simply meant to supply an omission. I do not think I need make any speech on the amendment. I do not find throughout the body of this Act any express provision for that emergency, namely, when the advising Judges disagree. When two conclusions conflict with each other, what is the Government to do? It has got to do something; and so, I suggest that in the event of a disagreement between the two Judges, the local Government may accept any one of them, as may appear to be reasonable and fair. My amendment simply supplies an omission. These are eventualities which should be contemplated.

Babu NITYA DHON MUKHERJEE: I rise to oppose the amendment. I do not think that a special provision is at all necessary. These Judges are merely advisory Judges and they will send their respective advice to Government, and Government will be bound to accept one and reject the other in case of difference. The sum and substance of the whole judgment will be to put an end to the activities of the goondas. As the final decision rests with Government, it will naturally accept the decision of that judge with the judgment of whom they will agree. So this amendment is unnecessary and superfluous.

The Hon'ble Mr. H. L. STEPHENSON: I entirely agree with the mover of the amendment that if the two advising Judges disagree in their conclusions, Government must accept the one which appears to them to be right and proper, but I agree with the last speaker that there is no necessity to empower Government to do so. The Judges are advisory, and the Government have got to pass some order on the cases before them; they can adopt either of the Judges' conclusions that they like. As a matter of fact, in the case of the disagreeing Judges the probability is strongly in favour of Government accepting the acquitting view.

The motion was then put and lost.

Kumar SHIB SHEKHARESWAR RAY: I move that in clause 5(*5*), line 4, after the word "Bengal" the following be inserted, namely:—

"or that he is a member of a family which has definitely settled in Bengal and is himself so settled"

and that for the words "that he and his father were born in Bengal" at the end of the said sub-clause, the words "his claim" be substituted.

I have made a little verbal change. This amendment is only to rectify what is apparently an oversight on the part of Government; for in the next clause, clause 6(*c*), a different provision is made in regard to a goonda whose family has definitely settled in Bengal, but how is the Government to decide the question. Unless the Judges have examined the case and given a finding on it? It is therefore necessary that the Judges should be empowered to go into the question of the domicile of the accused persons and come to a definite fiinding about it. I hope the Hon'ble Mr. Stephenson, who has been so very kind to-day to accept some of my amendments, will be able to see his way to accept this amendment also.

The Hon'ble Mr. H. L. STEPHENSON: The difference in wording between the two clauses was not altogether due to an oversight. The idea was that the Judges should go into the question whether the man and his father were born in Bengal or not. The local Government ought to have a slightly wider discretion, and in the case of the Judges deciding that a particuelar man had not succeeded in proving that he as well as his father were born in Bengal, it would still be open to the local Government to find that he was settled in Bengal and treat him as a Bengali. So there is a justification for this difference in wording. But there is considerable force in what the Kumar Sahib has said, that the Judges might consider themselves debarred from going into the question of domicile, or the accused might be prejudiced to a certain extent by not being allowed to raise the question of being settled in Bengal before the Judges. I am therefore prepared to accept the amendment.

The motion was put and agreed to.

The following amendments standing in the name of Mr. Ajoy Chunder Dutt were, in the absence of the member, deemed to be withdrawn:—

"That in clause 5(*5*), line 4, for the words 'both he and his father were born in Bengal' the following be substituted, namely:—

'that he has resided in Bengal for twenty years or more, or that he is a member of a family which has definitely settled in Bengal, and is himself so settled.'"

"That in clause 5(*5*), lines 7 and 8, the words 'or the District Magistrate, as the case may be' be omitted."

"That in clause 5(*5*), lines 11 and 12, for the words 'that he and his father were born in Bengal' the following be substituted, namely:—

'in accordance with the requirements of this section that his residence is in Bengal.'"

Babu INDU BHUSHAN DUTTA: I move that after clause 5(*5*), the following be added, namely:—

"(*6*) When the advising Judges disagree, the matter shall be referred to a High Court Judge (to be selected by the Chief Justice of the High Court of Calcutta) for opinion, and his opinion shall be regarded as the report or the conclusion of the advising Judges, as contemplated in section 6."

Though I have not the good fortune of basking in official favour like the Kumar Sahib to-day, still I have got the courage to bring forward this amendment. It is a very simple thing, and contemplates a circumstance when the two advising Judges happen to differ. I think that the safeguard that I propose should be inserted. A reference should be made to a High Court Judge when there is a difference of opinion between the two Judges, and I think it will be wise in such cases to be guided by the opinion of a reference Judge.

With these few words, Sir, I commend my amendment to the acceptance of the House and Government.

The Hon'ble Mr. H. L. STEPHENSON: It strikes me as a little strange that Babu Indu Bhushan Dutta, who has just now declared that a person with the qualifications of a High Court Judge is not fit to be one of the advising Judges, should now turn to the High Court Judge to be an arbitrator between two advising Judges. But my first ground of objection is that it is perfectly certain that the High Court will not allow any Judge of theirs to be employed on this work. It is not judicial work, but extra-judicial work, and I think that I have the highest authority for saying that the Court would simply decline to allow any of its Judges to act in this way. Secondly, surely it is a little absurd, when you have already got two experienced judicial officers, to employ a most expensive third judicial officer in case of a disagreement between them; because after all, what is the whole effect of the decision of these advising Judges? They are only to advise the Government. It does not matter if they disagree. If they do, we shall have the advantage of both sides being put before us. It is not like trying a man or inflicting a sentence of imprisonment, when you must have only one view from the Court. I think it will be exceedingly useful if the Judges put both views before Government. When the Government is in possession of the considered views of two judicial officers of experience, it is not necessary for us to ask the Chief Justice of the High Court to lend us another Judge to help us to come to a decision.

The motion was then put and lost.

Mr. PRESIDENT: The question is that clause 5, as amended, stand part of the Bill.

The motion was put and agreed to.

CLAUSE 6.

Mr. PRESIDENT: The question is that clause 6 stand part of the Bill.

Kumar SHIB SHEKHARESWAR RAY: I move that after clause 6(*1*) (*b*), the following be added, namely:—

"Provided that in the case of a person who is a member of a family which has definitely settled within the Presidency area and who is himself so settled, such person may, in the alternative, be directed to furnish security with or without sureties for good behaviour for such period and for such amount as may be stated in the order, to the satisfaction of the Commissioner of Police or the District Magistrate, as the case may be, and for failure to give satisfactory security or on cancellation of such security bonds, such person shall be committed to prison for the period or the unexpired period, as the case may be, the imprisonment being rigorous or simple as the Commissioner of Police or the District Magistrate may direct."

My amendment is meant for those goondas who are domiciled in the Presidency area. It proposes to give them an option either to leave the place or to give two kinds of security for good behaviour and stay on with their families and try to reform themselves. The Select Committee have taken into consideration the Bengali goondas, but unfortunately they have overlooked the case of the domiciled inhabitants of what they have termed the Presidency area. Sir, all along this Goondas Bill has been treated and discussed as a preventive measure; and it has been urged that we are not derogating from the fundamental principles of British justice by declaring that the ordinary procedure and the rules of evidence would not apply, as the object of the Bill itself is not punitive. I agree that it may not cause a positive hardship, it may not be so harsh when the Government asks a non-Bengali to leave Bengal, for then he might go back to his native place, and live the life of his forefathers. The same might also be possible in the case of the Bengalis even who are not residents of the Presidency area. I admit that by this removal from the field of temptations, by going back to their native villages, they might even turn over a new leaf, and the presence of their friends and relations, whose opinions they must value, would act as normal and natural checks on their follies and vicious tendencies. I quite appreciate the possible salutary effect on the character of the alleged goondas when they are sent off to their native places. But, Sir, the effect of these provisions would be quite the opposite on the character of those who happen to be residents of the Presidency area. If they are asked to move away from there, they cannot remain in their native

places and have got to go to strange lands and have to fend for themselves in a land of strangers. The effect on their morals would be positively baneful, for there they have no friends and relatives to look after them. Further, the very fact of having been declared a goonda and sent away will make his new neighbours look down on him. It would be absolutely impossible for him to secure any honest employment, the necessary effect being that want and privations would drive him on to further crimes, and whatever sparks of morality and humanity might be still lingering in him would be extinguished. My amendment is intended to attempt at saving these human souls. Here, in the case of a Calcutta goonda, I see that privations and want of sympathy would compel him to leave the path of rectitude, however sincerely he might wish for his own reformation. Hence, Sir, I ask the House to make some provision for these unfortunate creatures who choose to stay in Calcutta. Let them not be banished from their native place. I submit to the House that they should be bound down and asked to furnish two securities, as under the ordinary preventive sections of the Criminal Procedure Code. It might be urged then, Sir, that as we have already found that the provisions of the Criminal Procedure Code are not sufficient for the purpose, it would not help the situation by having the goondas merely bound down. But there is this difference. Under the Criminal Procedure Code there should be a regular trial and witnesses can be examined and cross-examined, while under the Goondas Act we have no such thing. It makes the binding down of people much easier, and the object of protecting society from the ravages of goondas can as well be attained.

The Hon'ble the Member can also urge that a binding down is a judicial function, and the Goondas Bill is mainly intended to help an executive measure. Quite so, Sir, but is not banishment of local people vastly more punitive than a mere binding down? Does not the executive, by thus transporting people, exercise a judicial function, no matter what name it might be pleased to give it? Sir, my proposal also is not really lenient to the delinquent; but all that I intend to do, and all that I ask the House to do, is to let the alleged goonda have a chance to mend himself, and not to throw him adrift on the unsympathetic world, and there either to die of starvation if he chooses to be honest, or to immerse himself in greater and greater crimes till his last refuge be the scaffold. Sir, I know I cannot hope to carry this amendment in the teeth of Government opposition, the fate of the other amendments is sufficiently convincing, but I appeal to the Hon'ble the Member in charge to consider the matter from a broad, humanitarian point of view. Should we send a native of Calcutta to a strange land amongst strangers to lead the life of a hunted criminal and hasten his doom, or should we not give him a chance to reform himself in his native place under the influence of his family, bound down as he is to be of good behaviour?

The Hon'ble Mr. H. L. STEPHENSON: I am much touched by the pathetic picture of the goonda struggling to reform himself and being driven to the gallows by an unsympathetic world, but I am afraid the unkind extremist papers will say that the Kumar Sahib, after having done the hat trick, has been so much elated by having three amendments accepted, that he has decided to make it four by pitching the fourth amendment in an executive key. I am far from accusing the Kumar Sahib of wishing, by his amendment, to treat the goonda leniently; on the contrary, in the Select Committee we considered this proposal which had been submitted to us from one or two quarters, and we came to the conclusion that it was not right to call upon a man to give security with the alternative of rigorous imprisonment without giving him a trial. The root of the whole Bill is not punishment but prevention, and to call upon a man to give security to the satisfaction of the Commissioner of Police, is practically giving him rigorous imprisonment, because no security in Calcutta is of any use at all as a preventive measure. As I explained on previous occasions, supervision in Calcutta is useless as a preventive measure to bring the goonda under control; we may tie him down to half-hourly reports at the thana, he will still have leisure in between to commit a robbery in Burrabazar. In the same way the taking of security from pleaders or bonds from a guarantee association would be of very little use. I have no doubt the goondas would themselves form a guarantee association, but that would not protect Calcutta against this evil. I therefore think that in the interests of humanity, in spite of what the Kumar Sahib says, we ought to oppose this amendment.

The motion was then put and lost.

The following amendment standing in the name of Rai Mahendra Chandra Mitra Bahadur was, in the absence of the member, deemed to be withdrawn:—

"That at the end of clause 6(*2*), the words 'without sufficient reasons' be added."

The following amendment standing in the name of Rai Fanindralal De Bahadur was, in the absence of the member, deemed to be withdrawn:—

"That after clause 6, the following be added, namely:—

'When the Local Government are satisfied that a man against whom an order of deportation from Bengal or the Presidency area, as the case may be, has been made, is unable to pay the fare, railway, steamer or otherwise, incidental to his removal, they may bear this expenditure.'"

The following amendment standing in the name of Mr. Ajoy Chunder Dutt was, in the absence of the member, deemed to be withdrawn:—

"That after clause 6, the following be added, namely:—

'Provided that in the event of the Local Government being unable to accept the opinion of the advising Judges as embodied in their report, they shall refer the matter in question to a Judge of the High Court for opinion, and such opinion shall be binding upon the Local Government.'"

Mr. PRESIDENT: The question is that clause 6 stand part of the Bill.

The motion was put and agreed to.

CLAUSE 7.

Mr. PRESIDENT: The question is that clause 7 stand part of the Bill.

The motion was put and agreed to.

CLAUSE 8.

Mr. PRESIDENT: The question is that clause 8 stand part of the Bill.

Babu INDU BHUSHAN DUTTA: I move that in clause 8, line 2, for the figure "5" the figure "6" be substituted.

This amendment is merely to inculcate the principle that a man is not to be regarded guilty until he has been found so by a competent court. If this section is adopted as it is, it will mean that a man, simply because he has been hauled up by the police, will have to undergo the humiliation of presenting himself to be photographed and having his finger impressions taken and such other things. This procedure is to be adopted before the judgment is given by the Government that he is really a goonda, and is to be dealt with under this Act. I claim, at the hands of this Council, this consideration that a man, before he is actually found guilty under the Act, should not be supposed to be guilty, and should be given the benefit of the doubt, and before he is actually ordered to be deported, he should not be actually put to these humiliations.

The Hon'ble Mr. H. L. STEPHENSON: I am very glad to be able to give Babu Indu Bhushan Dutta a ray of sunshine by accepting his amendment. But I am afraid the graciousness of this concession is

somewhat discounted by the fact that the figure 5 is a clerical mistake; it ought to be 6. I thank him for having pointed out this error, and am prepared to accept the amendment.

The motion was then put and agreed to.

The following amendment standing in the name of Mr. Ajoy Chunder Dutt was, in the absence of the member, deemed to be withdrawn:—

"That in clause 8, lines 3 and 4, the words 'or the District Magistrate, as the case may be' be omitted."

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I move that at the end of clause 8(*ii*) the words "in case he is illiterate" be added.

My amendment is owing to the circumstances that a man has to go through two ordeals, his finger-impressions are to be taken and also his handwriting recorded. Of course, scientifically both finger-prints and hand-writing, as far as they serve the purpose of identification, are practically on the same level; so, if a man is illiterate, then his finger-impressions can be taken, but if literate, I think, a specimen of his handwriting would be quite sufficient. So I submit that in clause 8(*ii*) the words "in case he is illiterate" be added.

The Hon'ble Mr. H. L. STEPHENSON: There seems to be some misunderstanding on the part of the mover of the amendment. The object of having finger-prints recorded is that they are the most certain means we have of identifying persons; they are much more certain than handwriting, and apart from that, if you only take handwriting, there is nothing to prevent a goonda, when he turns up again, claiming to be illiterate. Finger-prints are always a certain means of identification; therefore we must have them in every case; handwriting is a second consideration. I oppose the amendment.

The motion was then, by leave of the Council, withdrawn.

The following amendment standing in the name of Mr. Ajoy Chunder Dutt was, in the absence of the member, deemed to be withdrawn:—

"That in clause 8(*iv*), lines 2 and 3, the words 'or the District Magistrate, as the case may be' be omitted.

Mr. PRESIDENT: The question is that clause 8, as amended, stand part of the Bill.

The motion was put and agreed to.

CLAUSE 9.

Mr. PRESIDENT: The question is that clause 9 stand part of the Bill.

The Hon'ble Mr. H. L. STEPHENSON: I move that in clause 9, line 2, for the word "passed" the word "made" be substituted.

This is purely a verbal amendment made in order to bring the verbal expression of this section into line with the rest of the Bill.

The motion was put and agreed to.

Mr. PRESIDENT: The question is that clause 9, as amended, stand part of the Bill.

The motion was put and agreed to.

CLAUSE 10.

Mr. PRESIDENT: The question is that clause 10 stand part of the Bill.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: I move that in clause 10(2) for the word "non-bailable" the word "bailable" be substituted.

I find that the punishment provided under section 10 is only an imprisonment for a term of six months and clause (2) of section 10 wants to make this offence non-bailable. I think, before trial a man should not be put into durance vile or *hajut* for an offence of this description, and I do not see any reason why an offence punishable with imprisonment of only six months, should be made non-bailable; so I hope the Hon'ble the Member in charge will reconsider the matter and make this offence bailable, because the trial actually had not taken place, and the punishment provided is only a term of imprisonment for six months. If you look at the schedule of the Criminal Procedure Code, you will find that most of the punishments of six months are bailable.

The Hon'ble Mr. H. L. STEPHENSON: As the mover has pointed out, the question whether an offence is bailable or non-bailable does not depend on the amount of punishment inflicted. The Bill provides in the first instance for a bailable warrant; therefore the man will be on bail before orders are passed. This particular section and section 9 are dealing with the case of a person against whom the order has been passed, or a case where he has been given bail in the first instance but absconds in order to prevent the order being served upon him, or after the order has been served upon him, he absconds in order to prevent his finger-impressions being taken. Surely these circumstances do amply justify the offences under sections 9 and 10 being treated as non-bailable. This does not mean that bail cannot be given in the case of these offences, but only that in the ordinary course of events it will not be given unless there are special reasons.

The motion was then put and lost.

Mr. PRESIDENT: The question is that clause 10 stand part of the Bill.

The motion was then put and agreed to.

PREAMBLE.

Mr. PRESIDENT: The question is that the preamble stand part of the Bill.

The following amendment standing in the name of Mr. Ajoy Chunder Dutt was, in the absence of the member, deemed to be withdrawn:—

"That in the preamble, lines 2 and 3, for the words 'Calcutta and the neighbourhood' the words 'the town and suburbs' be substituted."

Mr. PRESIDENT: The question is that the preamble stand part of the Bill.

The motion was put and agreed to.

The Hon'ble Mr. H. L. STEPHENSON: I move that the Bill, as settled in Council, be passed.

Rai JOGENDRA CHUNDER GHOSE Bahadur: When the Bill was introduced we expected that sufficient safeguards would be provided for in the Select Committee. I have already given you my reasons why I consider the Bill as settled here is unacceptable. I have told you how the Habeas Corpus Act applies to the town of Calcutta. I want to know how that can be got rid of. Section 491 of the Criminal Procedure Code embodies the provisions of the Habeas Corpus Act and expressly excludes the State Prisoners Act, the Defence of India Act, and other regulations of the character of this Act which is going to be passed. Unless section 491 of the Code is amended, I am afraid that this Bill will have no force whatsoever; so this matter, I believe, will be fought over again in the Imperial Legislative Assembly. Sir, I have told you that the rights and liberties of the most humble among us should be zealously guarded by us. Goondas or no goondas, no extraordinary provision against one's personal liberty should be enacted here. I have told you, Sir, that the Sovereign of the British Empire has said that no man shall be imprisoned or seized without a fair and legal trial; we remain here with the rights and liberties of the British citizen, and I say that I shall always protest against a man, be he a goonda or any other person, being deported and ruined for ever without a proper legal trial. Here we have enacted that a certain number of persons, be they District Judges or whoever they may be, will go through all the reports submitted by the police without any regard for relevant evidence, without allowing pleaders to represent the accused.

Any man can under the circumstances be ruined. We know very well how false evidence is created in this country; how private grudge is wreaked upon innocent persons. Knowing all this, I cannot agree that the Bill as settled here should be passed.

The Hon'ble Mr. H. L. STEPHENSON: I am glad to have an opportunity of listening to a second edition of the Rai Bahadur's speech, some of which, owing to his seat being at a distance, I had missed. Even in the somewhat pessimistic outlook he gave us there was one ray of hope for the future, and that was that the second struggle which he predicts, is going to take place in the Imperial Legislative Assembly. I would again ask the Council to pass this Bill.

Mr. PRESIDENT: The question is that the Bill, as settled in Council, be passed.

The motion was then put and agreed to.

Adjournment.

The Council was then adjourned till 3 P.M. on Thursday, the 8th February, 1923, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Thursday, the 8th February, 1923, at 3 P.M.

Present:

The Hon'ble the President in the Chair, three Hon'ble Members of the Executive Council (the Hon'ble Mr. J. Donald being absent), the three Hon'ble Ministers, and 88 nominated and elected members.

Oath.

The following member made an oath of his allegiance to the Crown:—

Mr. W. L. LESLIE.

President's address.

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): Order, order! A petition signed by 28 mufassal members addressed to His Excellency asking that His Excellency may be pleased to allow a break of fifteen days in the present session between the middle of February and that of March, 1923, was placed before His Excellency.

I have it in command from His Excellency to say that he regrets he is unable to grant this request.

Starred Questions

(to which oral answers were given).

Steam launch of Executive Engineer, Rajshahi Division.

***XLI. Babu KISHORI MOHAN CHAUDHURI:** Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state—

(*i*) whether a steam launch has been provided for the Executive Engineer, Rajshahi Division;

(*ii*) if so, from when and for what special reasons has this been provided;

(*iii*) what are the capital expenditure and the recurring maintenance charges annually for the same;

(*iv*) what other Executive Engineers and Superintending Engineers have got such steam launch provisions;

(*v*) what are the capital and annual maintenance charges for the same;

(*vi*) what savings, if any, have been effected by this new arrangement; and

(*vii*) in what particulars have these savings been effected?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*i*) Yes, but it is also used by the Commissioner of the Rajshahi Division and the Superintending Engineer, Northern Circle, and is available for other officers for purposes of inspection when not required by the Public Works Department.

(*ii*) From 1st April, 1922, mainly for inspections of the river protective works at Pabna and Sarda, and also for inspecting works in the districts in the Northern Circle which border the river.

(*iii*) Capital expenditure—Rs. 99,300. Annual recurring charges are about Rs. 14,500.

(*iv*) The officers of the Eastern Circle have a steam launch, the S.L. *Peregrine*.

(*v*) Capital expenditure—Rs. 42,356. Annual average maintenance charge—Rs. 14,600.

(*vi*) and (*vii*) It is not possible to estimate these savings in money. The launches are provided to facilitate inspections of various works and to ensure a ready means of transit to places where urgent inspections are necessary both for Public Works Department officers and officers of other departments.

Primary Education in Pabna.

***XLII. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) how many primary schools exist in the (*a*) Sadar and (*b*) Sirajganj subdivisions, respectively, of the district of Pabna;

(*ii*) how many of these are subsidized by the Pabna municipality, Sirajganj municipality and Pabna district board;

(*iii*) what amount each municipality or district board contributed during the last financial year to such schools within their jurisdiction;

(*iv*) what amount the Government contributed during the last financial year to each municipality or the district board of Pabna towards the maintenance of such schools within their jurisdiction;

(*v*) what amount was realized during the last financial year as school fees from such schools;

(*vi*) what is the number of boys and girls at present attending such schools within and outside the municipal areas in the district of Pabna;

(*vii*) what is the number of boys and girls of school-going age who are going without such education;

(*viii*) how many more such schools would be necessary in the district of Pabna to give such education to all such boys and girls;

(*ix*) what would be the probable additional cost for establishment and maintenance of such additional schools;

(*x*) what steps, if any, have the Government taken or are the Government going to take for the extension of primary education for all such boys and girls who require such education; and

(*xi*) what proportion of the additional cost the Government would be prepared to bear to meet the problem of extension of primary education throughout the district?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*i*) Number of primary schools in (*a*) Sadar subdivision—430; (*b*) Sirajganj subdivision—1,218.

(*ii*) Of the above schools, 16 are subsidized by the Pabna municipality, 19 by the Sirajganj municipality, and 1,295 by the Pabna district board.

(*iii*) Pabna municipality contributed Rs. 650, Sirajganj municipality Rs. 850, and Pabna district board Rs. 26,321.

(*iv*) Government contributed Rs. 1,361 to Pabna municipality, Rs. 1,960 to Sirajganj municipality, and Rs. 35,768 to Pabna district board (amounts actually spent).

(*v*) Fees realized were Rs. 29,037.

(*vi*) The number of boys and girls attending primary schools within municipal areas is 7,796 and 403, respectively, and in district board areas 27,729 and 12,196, respectively.

(*vii*) The number of boys and girls of school-going age not receiving education is 77,497 and 89,820, respectively.

(*viii*) About 1,400 schools for boys and about 1,700 schools for girls will be necessary. The calculation is made on the basis of Mr. Biss' scheme of schools of 100 and 50 pupils. Having regard to the fact that communication is very difficult during the rains in this district,

there can be very few schools of 100 pupils. Most of the schools will be schools of 50 pupils on an average—

Boys' schools of 100 pupils—140.

Boys' schools of 50 pupils—1,260.

Girls' schools of 100 pupils—100.

Girls' schools of 50 pupils—1,600.

(*ix*) Probable recurring (maintenance) cost—Rs. 20,07,804. Probable non-recurring (building, equipment, etc.) cost—Rs. 55,21,461.

(The calculation is based on the instructions given by Mr. Biss in his printed report of 1920 on the condition of primary education with proposals for its systematic expansion and improvement. Also *vide* paragraph 76 (*iii*), page 27, of Mr. Biss' Report on Primary Education. The recurring cost is calculated at Rs. 12 per boy per annum for smaller schools. We have taken this as the basis of our calculation, as our schools will be mostly smaller ones. Again, non-recurring expenditure is calculated at Rs. 33 per boy (Rs. 30 for building and Rs. 3 for equipment).

(*x*) Attention is invited to the reports of Mr. Biss, recently Special Officer for Primary Education. Government hope, when finances permit, to expand primary education on lines laid down by him. As regards girls, no special scheme, other than the extension when possible of the present system, has yet been drawn up.

(*xi*) Government are in normal cases adopting the half-and-half principle.

Relief operations in flood-stricken areas in North Bengal.

***XLIII. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state what has been the total amount of collection by the Bengal Relief Committee up to the 31st December, 1922?

(*b*) How much did the Government contribute to this Committee, and will the Hon'ble the Member be pleased to state in detail in what other ways the Government helped the Committee?

(*c*) What amounts did the Government spend on flood relief operations up to 31st December, 1922, independently of the Bengal Relief Committee?

(*d*) How many centres and officers are at present working directly under Government control in the flood-stricken area? What is the average monthly expenditure on (*i*) actual relief operations, and (*ii*) pay and travelling allowances of the officers employed for the purpose?

(*e*) How long are the relief operations by (*i*) the Bengal Relief Committee, and (*ii*) the Government expected to continue?

MEMBER in charge of DEPARTMENT of REVENUE [LAND REVENUE] (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) Government have no information.

(*b*) No money has been contributed by Government to the Bengal Relief Committee. Government, however, help the Committee, whenever required, in the way of supplying boats, accommodation and information.

(*c*) A statement is laid on the table.

(*d*) A statement is laid on the table.

(*e*) (*i*) Government have no information as to how long the Bengal Relief Committee will continue their relief operations.

(*ii*) The Collector of Rajshahi anticipates that relief operations by Government will last in his district till June, 1923. The Collector of Bogra reported on the 21st January, 1923, that relief operations by Government, though practically at an end, would be continued up to March next. In Pabna and Dinajpur the situation is now practically normal.

Statement referred to in the reply to starred question No. XLIII (c).

Gratuitous Relief: Rajshahi—Rs. 7,620; Bogra—Rs. 8,000; Pabna—Rs. 1,985.

Charitable Relief: Rajshahi—Rs. 39,622; Bogra—Rs. 32,000; Pabna—Rs. 475.

Agricultural Loans: Rajshahi—Rs. 2,49,965; Bogra—Rs. 2,58,000; Pabna—Rs. 23,300; Dinajpur—Rs. 5,000 (still under distribution).

Statement referred to in the reply to starred question No. XLIII (d).

In the district of Rajshahi besides the two Subdivisional Officers, the bulk of whose time is devoted to flood relief work, four officers are at present employed in four centres directly under Government control. In the Bogra district 15 officers have been so employed at 15 centres. In Pabna only one officer is at present engaged in relief work, but he has no definite centre, nor is he solely employed on relief work. No special officer has been employed in the district of Dinajpur.

The average monthly expenditure was—

Rajshahi: (*i*) Actual relief operations—Rs. 99,069; (*ii*) Pay and travelling allowance of officers—Rs. 2,266. (This does not include the

pay and travelling allowance of the Collector and the Subdivisional Officers.)

Bogra: (*i*) Actual relief operations—Rs. 99,333; (*ii*) Pay and travelling allowance of officers—Rs. 2,358.

Pabna: (*i*) Actual relief operations—Rs. 820.

As no officer was specially deputed for the purpose, the average monthly expenditure on account of pay and travelling allowance cannot be ascertained.

Academic qualifications of the present Deputy Director of Sericulture.

***XLIV. Babu KISHORI MOHAN CHAUDHURI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state the academic qualifications of the present Deputy Director of Sericulture?

(*b*) Did that officer carry on any experiments on Indian Sericulture before his appointment?

(*c*) If so, will the Hon'ble the Minister be pleased to lay the results of his experiments on the table or refer the Council to the volumes of the journals in which they have been published?

(*d*) Is it a fact that the cross-breeding experiments carried on by the present Deputy Director of Sericulture in the Berhampore Research Laboratory before his appointment were proved to be a total failure?

(*e*) What have been the results of his researches and experiments, if any, on Indian Sericulture since his appointment?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) Mr. P. C. Chaudhuri, Deputy Director of Sericulture, has read up to the B.Sc. standard of an Indian University. He was sent to England as a State Scholar, where he obtained first class certificates in the City and Guilds London Examination on silk throwing, spinning, and dyeing. He was next sent to France where he obtained the attestation diploma of the Silk Institute of Lyons.

(*b*) After the death of M. Grangeon, Mr. Chaudhuri was placed in charge of the experiments in hybridization which MM. Grangeon and Lafont had commenced.

(*c*) The member is referred to the Annual Reports of the Agricultural Department for the last five years.

(*d*) The hybridization experiments in Bengal, as in other countries, have so far not been a success. The hybrids have proved too unstable in character, and too little is at present known of the complex laws of heredity which are involved in such work. The work is now being carried out on a restricted scale.

e) The hybridization work has not so far been successful and it necessary to obtain results. For this reason Mr. Chaudhuri's work been of value.

n addition to the hybridization work Mr. Chaudhuri has been associ- with the inquiries into the diseases of silk-worms and the amelioraeffect of rearing seed-cocoon in the hills.

Scheme for training nurses in the S. K. Hospital, Mymensingh.

XLV. Mr. S. M. BOSE: (*a*) Is the Hon'ble the Minister in ge of the Department of Local Self-Government aware of the need urses in Mymensingh?

b) Has the attention of the Hon'ble the Minister been drawn to uggestion that a small class for training nurses might be started r the supervision of the Matron who has recently been appointed?

c) Are the Government considering the feasibility of the suggesand contemplating the early preparation of a small scheme for trainnurses in the S. K. Hospital in Mymensingh?

INISTER in charge of DEPARTMENT of LOCAL SELF-ERNMENT (the Hon'ble Sir Surendra Nath Banerjea): (*a*) and Yes.

) A scheme is now before Government.

Conviction of goondas.

XLVI. Rai LALIT MOHAN SINCH ROY Bahadur: Will the ble the Member in charge of the Political Department be pleased y on the table a statement showing for the last five years -

(*i*) the number of goondas convicted by the Calcutta Police Courts;

(*ii*) how many of them are inhabitants of places outside this Presidency;

(*iii*) how many of them were domiciled or natives of this presidency; and

(*iv*) what were the various punishments accorded to them?

EMBER in charge of POLITICAL DEPARTMENT (the Hon'ble H. L. Stephenson): (*i*) Number of goondas convicted during the 5 years:—1918—12; 1919—14; 1920—51; 1921—70 + 64* = 134; —52+51* = 103 (25 persons are under trial, viz., 11 in dacoity and 1 bad-livelihood cases).

---

bese figures represent the number of persons prosecuted by the Goonda Department and ordered to furnish under the preventive sections of the law.

(*ii*) and (*iii*) Of the 64 persons convicted in 1921 in cases prosecuted by the Goonda Department, 41 were inhabitants of places outside Bengal and 23 were natives of, or domiciled in, Bengal, and of 51 persons convicted in such cases in 1922, 35 were inhabitants of places outside Bengal and 16 were natives of, or domiciled in, this Province.

Nine persons were convicted in cases of dacoity with fire-arms and of these 7 were inhabitants of places outside Bengal and 2 were natives of this Province.

Similar information cannot be furnished in respect of the persons prosecuted by the regular staff without a detailed examination of a large number of records.

(*iv*) The sentences varied from four months to two years in robbery cases, three months to one year under the preventive sections, and three to seven years in dacoity cases.

Thana and village dispensaries.

***XLVII. Babu JOGENDRA NATH ROY:** Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state in how many thanas and villages dispensaries were opened during the year 1922?

The Hon'ble Sir SURENDRA NATH BANERJEA: In 1922, 63 new dispensaries were opened, viz., 24 district board, 17 union board, 10 private aided, 7 private non-aided and 5 subsidized dispensaries. Government have no information as to how many of these are thana or village dispensaries.

Monopoly of tramway service in Calcutta.

***XLVIII. Rai FANINDRALAL DE Bahadur:** (*a*) Is the Hon'ble the Member in charge of the Department of Commerce aware that the Calcutta Tramways Company, Limited, enjoy a monopoly service in Calcutta?

(*b*) Is the Hon'ble the Member aware of the fact that there was a bus service of the company for the southern part of the city which had to be discontinued because it did not prove lucrative, and that some time before the present strike the company introduced a bus service for the northern part of the city?

(*c*) Is the Hon'ble the Member aware that this bus service for the northern quarters was wholly discontinued immediately after the strike occurred and that all the buses were diverted to the southern quarter?

(*d*) Are the Government considering the desirability of intervening and insisting on the company retaining at least half the number of buses for service in the northern part of the city?

SECRETARY to GOVERNMENT, COMMERCE DEPARTMENT (Mr. A. Marr): (*a*) Yes; in respect of tramways only.

(*b*) and (*c*) The facts are believed to be as stated.

(*d*) Motor omnibuses are regulated under the Motor Vehicles Rules and are not the monopoly of any company. As omnibus services are still in the experimental stage, it is not considered necessary to regulate the routes selected by proprietors, provided the routes are suitable for such vehicles.

Projects of the Sanitary Board.

***XLIX. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state which of the recommended projects of the Sanitary Board the Government are contemplating carrying out in 1922-23 and what will be the approximate cost in carrying out such schemes?

The Hon'ble Sir SURENDRA NATH BANERJEA: A statement is laid on the table.

Statement referred to in the reply to starred question No. XLIX.

	Schemes	Total estimated cost.	Total Government grant	Government grant in 1922-23.
		Rs.	Rs.	Rs
1.	Dacca sewerage (1st portion) ...	16,00,000	16,00,000	5,00,000
2.	Bankura water-works improvement ...	38,459	12,817	8,000
3	Comilla water-supply	3,88,000	2,11,000	32,000
4.	Ramganj water-supply	3,00,000	1,00,000	50,000
5.	Tittagarh sewerage	10,90,272	3,63,424	1,000
6.	Boring operations at—			
	(*a*) Patuakhali	10,000	...	...
	(*b*) Pabna	10,000	30,000	20,000*
	(*c*) Rampur Boalia	10,000	...	...

*A grant of Rs. 10,000 for Patuakhali was paid in 1921-22.

Excavation of a tank in Kishoreganj in connection with the scheme of partition of Mymensingh.

***L. Mr. S. M. BOSE:** (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works aware—

(*i*) that the tank excavated near the Mission House in Kishoreganj, Mymensingh, in connection with the proposed partition of the district, is far from completion;

(*ii*) that it is very shallow so as to be unfit for use as a source of water-supply for the locality; and

(*iii*) that it is likely to become a breeding-place for mosquitoes?

(*b*) Are the Government considering the advisability of excavating this tank so as to make it sufficiently deep to store up water throughout the year, and to prevent its being a source of danger to the health of the town?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) Yes. The work was just begun when the Legislative Council refused to vote funds for its completion and hence it was stopped.

(*ii*) Yes.

(*iii*) Yes.

(*b*) The supply of drinking water is primarily the concern of the district board. The question of offering this tank (subject to any conditions that may be fixed) to the district board is under the consideration of Government.

Unstarred Questions

(answers to which were laid on the table).

Silting up of the Saraswati river and the insanitary condition of Saptagram in Hooghly.

287. Babu AMULYA DHONE ADDY: (*a*) Has the attention of the Hon'ble the Member in charge of the Department of Irrigation been drawn to the fact that Saptagram, and the adjoining villages in the district of Hooghly, have now become jungles owing to the outbreak of malarial fever due to the silting up of the river Saraswati?

(*b*) If so, will the Hon'ble the Member be pleased to state what steps, if any, have been taken for the removal of the silt therefrom?

MEMBER in charge of DEPARTMENT of IRRIGATION (the Hon'ble the Maharajadhiraja Bahadur of Burdwan): (*a*) Government are informed that Saptagram is very malarious.

(*b*) The matter is still under inquiry.

Proportion of Muhammadans in the Bengal Civil Service (Executive Branch).

288. Khan Bahadur Maulvi EMADUDDIN AHMED: (*a*) Will the Hon'ble the Member in charge of the Appointment Department be

pleased to state whether it is a fact that there is a rule that in recruitment to the Bengal Civil Service (Executive Branch) one-third of the appointments should be given to the Muhammadans?

(*b*) Will the Hon'ble the Member be pleased to lay on the table a statement showing the total number of appointments in that service, year by year, for the last ten years and the number of Muhammadans appointed in each of those years?

(*c*) What circumstances are taken into consideration in fixing the proportion of the Muhammadans to the Bengal Civil Service (Executive Branch).

(*d*) Are the Government proposing to increase the proportion of Muhammadans in recruitment to that service?

MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) There is no such rule, but Government have accepted this proportion as a guide in making direct recruitment to that service.

(*b*) A statement is laid on the table.

(*c*) The proportion adopted was based on considerations of population, education, and general capacity for public service.

(*d*) No; but under the new system of competitive examination it is open to Muhammadans to increase the proportion by their own efforts.

Statement referred to in the reply to clause (b) of unstarred question No. 288, showing the total number of appointments made in the Bengal Civil Service (Executive) for the last ten years, viz., from 1912 to 1921, and the number of Muhammadans appointed in each of those years.

Year.	Direct appointments.		Appointments by promotion.	
	Total	Muhammadans.	Total.	Muhammadans.
1912 ...	9	4	3	...
1913 ...	12	5	7	...
1914 ...	7	2	3	1
1915 ...	7	3	3	...
1916 ...	7	3	3	1
1917 ...	7	3	3	...
1918 ...	8	2	4	...
1919 ...	10	3	4	1
1920 ...	9	3	4	...
1921 ...	9	3	4	...

Weaving industries in Bengal.

289. Rai HARENDRANATH CHAUDHURI: (*a*) Is the Hon'ble the Minister in charge of the Department of Agriculture and Industries in a position to lay on the table a statement showing, district by district,—

(*i*) the number of weavers in Bengal;

(*ii*) the districts and subdivisions in which the weaving industries are carried on on a large scale; and

(*iii*) how many district and peripatetic weaving schools are there in Bengal and in which areas are they operating?

(*b*) Is the Hon'ble the Minister in a position to give detailed information regarding the steps that were taken since the close of the year 1921 for the extension of peripatetic demonstration of weaving?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) (*i*) and (*ii*) Statements are laid on the table.

(*iii*) At present there are six district and eight peripatetic weaving schools in Bengal. They are operating in districts as under:—

District weaving schools.

Name of school.		District of operations
Tangail weaving school	...	Mymensingh.
Bankura weaving school	...	Bankura.
Malda weaving school	...	Malda.
Pabna weaving school	...	Pabna.
Zorwarganj weaving school	...	Chittagong.
Begumganj weaving school	...	Noakhali.

Peripatetic weaving schools.

Name of school.		Place of operation.
Bankura peripatetic weaving school	...	Chhatna.
Tangail peripatetic weaving school	...	Miledanga.
Malda peripatetic weaving school	...	Shershai.
Pabna peripatetic weaving school	...	Pachlia.
Serampore peripatetic weaving school	...	Krishnagar (Nadia).
Khulna peripatetic weaving school	...	Fultola.
Dacca peripatetic weaving school	...	Dighirpar.
Birbhum peripatetic weaving school	...	Suri.

(*b*) A peripatetic weaving school was actually opened in Birbhum on the 28th April, 1922, and the number of students under instruction

at each of the peripatetic schools, excepting Birbhum, has been increased from five to ten. In August, 1922, the posts of two weaving demonstrators on Rs. 100—5—200 each and three assistants on Rs. 35 each, have been sanctioned to meet the public demand for demonstration in improved fly-shuttle loom weaving. These have been working in areas wherever there has been a demand, thus to some extent meeting the requirements of the public.

Statement referred to in the reply to clause (a) (i) of unstarred question No. 289, showing, district by district, the number of weavers in Bengal.

Burdwan Division—	
Burdwan	8,886
Birbhum	7,294
Bankura	12,993
Midnapore	46,999
Hooghly	22,044
Howrah	12,214
Presidency Division—	
24-Parganas	29,310
Calcutta	13,440
Nadia	5,226
Murshidabad	8,289
Jessore	20,707
Khulna	10,829
Rajshahi Division—	
Rajshahi	7,777
Dinajpur	3,398
Jalpaiguri	3,808
Darjeeling	260
Rangpur	4,510
Bogra	3,109
Pabna	7,956
Malda	5,439
Dacca Division—	
Dacca	24,517
Mymensingh	9,197
Faridpur	27,137
Bakarganj	7,146

Chittagong Division—

Tippera	...	...	657
Noakhali	...	...	471
Chittagong	...	...	1,449
Chittagong Hill Tracts	...	...	46

Statement referred to in the reply to clause (a) (ii) of unstarred questio No. 289, showing the districts and subdivisions in which the weaving industries are carried on on a large scale.

Burdwan Division—

Bankura	...	Sadar and Vishnupur.
Birbhum	...	Sadar and Rampurhat.
Midnapore	...	Sadar and Ghatal.
Burdwan	...	Sadar.
Hooghly	...	Serampore.
Howrah	...	Sadar and Uluberia.

Presidency Division—

Murshidabad	...	Sadar.
Nadia	...	Ranaghat, Meherpur.
24-Parganas	...	Baraset.
Khulna	...	Satkhira.
Jessore	...	Sadar.

Dacca Division—

Dacca	...	Sadar, Munshiganj, Narayanganj and Manikganj.
Mymensingh	...	Tangail and Kishoreganj.
Faridpur	...	Goalundo, Madaripur and Gopalganj.
Bakarganj	...	Sadar, Patuakhali and Pirojpur.

Chittagong Division—

Chittagong	...	Sadar and Cox's Bazar.
Chittagong Hill Tracts		Rangamati and Chandrakona.
Tippera	...	Sadar and Brahmanbaria.
Noakhali	...	Sadar and Feni.

Rajshahi Division—

Rajshahi	...	Sadar and Naogaon.
Pabna	...	Sadar and Sirajganj.
Malda	...	Sadar.

Cotton cultivation in Bengal.

290. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) whether it is a fact that even in 1893-94 the area under cotton under the Bengal Administration was 201,280 acres; and

(*ii*) what is the area under cotton at present within the same territorial limits?

(*b*) If the areas have decreased to any great extent now, will the Hon'ble the Minister be pleased to state the causes which are in the knowledge of Government which have led to the decrease?

(*c*) What steps, if any, are the Government taking to increase the area under, and output of, cotton?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) (*i*) and (*ii*) The area of cotton in Bengal, Bihar, Orissa and Chota Nagpur was 201,200 acres in 1893-94. The area of cotton in the tract which at present constitutes Bengal was 27,200 acres in 1893-94, the area to-day being 54,433 acres. The entire increase has taken place in the Chittagong Hill Tracts, nearly all other districts showing a decrease.

(*b*) The causes are in all probability purely economic, viz., the competition of other more paying crops, such as jute.

(*c*) No steps to increase the area under cotton can be taken unless, and until, the experiments now in progress indicate that it would be economically sound policy to encourage cotton cultivation in Bengal. It would be unwise to attempt to persuade the cultivator to grow cotton instead of other crops unless it can be demonstrated that it would pay him better to do so. A propaganda policy not based on successful experiment would be inadvisable.

Platform and waiting room at Faridpur railway station and branch train corresponding to Chittagong mail.

291. Babu BHISHMADEV DAS: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works aware—

(*i*) that there is no raised platform and no suitable waiting room at the Faridpur railway station; and

(*ii*) that the passengers travelling by the Chittagong mail train to Faridpur have to suffer inconvenience as there is no corresponding train for the Faridpur branch?

(*b*) Are the Government considering the desirability of drawing the attention of the Eastern Bengal Railway authorities to the above grievances?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) (*i*) Government are aware that there is no raised platform. There is, however, a thatched shed to serve the purposes of a waiting room.

(*ii*) Yes. The branch trains are run by one rake of stock, and it is not possible for that rake to connect with both the up and down mails.

(*b*) The attention of the Railway authorities has been drawn to this complaint, but they are not in a position to remove it owing to scarcity of funds and the necessity for economy.

Survey of the waterway from Sandiaghat to Talma "via" Bhanga.

292. Babu BHISHMADEV DAS: (*a*) Is the Hon'ble the Member in charge of the Department of Irrigation aware that a survey has been made of the waterway from the Sandiaghat steamer station to Talma *via* Bhanga in Faridpur.

(*b*) Will the Hon'ble the Member be pleased to state the purposes for which the said survey has been made?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) No survey has ever been carried out by Government.

(*b*) This question does not arise.

Financial assistance to Patrasayar High School in Bankura.

293. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) whether any provision will be made in the next budget for giving any financial assistance to the high school at Patrasayar, Vishnupur subdivision, district Bankura; and

(*ii*) if so, what will be the amount to be sanctioned in this connection?

The Hon'ble Mr. P. C. MITTER: (*i*) Provision in the Education Budget is not made for particular institutions, but lump allotments are provided and placed at the disposal of the Divisional Inspectors of Schools who are authorized to sanction grants to deserving schools. The case of this school has been brought to the notice of the Inspector of Schools,

Burdwan Division, for consideration along with the cases of other schools requiring grants.

(*ii*) The question does not arise.

Transfers and postings of judicial officers.

294. Rai JOGENDRA CHUNDER GHOSE Bahadur: (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware that officers of the Bengal Civil Service (Judicial) are put to difficulties if transferred during the Durga Puja vacations and Easter holidays as their school-going boys have to leave school with their guardians before the annual examinations (in the case of Puja transfers) which are held in December and before the examinations held in the middle of the year (in the case of Easter transfers)?

(*b*) Are the Government considering the desirability of introducing a new rule of transfer during the Xmas holidays and of inviting the opinions of the Hon'ble the High Court and of all the Subordinate Courts and of the Bengal Civil Service (Judicial) on the subject?

(*c*) Is the Hon'ble the Member aware that the posting to native districts or subdivisions is desired by officers for the education of their children and other advantages and in cases of ill-health?

(*d*) Are the Government considering the desirability of relaxing the rule of not posting them to their native districts in exceptional cases?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): (*a*) and (*b*) The member is referred to the reply given to Maulvi A. K. Fazl-ul Haq's question No. XXXIV at the meeting of the Bengal Legislative Council held in March, 1918.

(*c*) In some cases applications are received from officers who desire to be posted to their home districts or subdivisions. Each application is considered on its merits.

(*d*) Officers are not posted to their home districts, except for special reasons, and as the landed property of officers is, as a rule, in their home districts to that extent this fact is taken into consideration in the posting of officers.

Reclamation of bils of Pabna and Tippera.

295. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) the names of the bils within the Sadar and Sirajganj subdivisions, respectively, of the district of Pabna and within the district of Tippera; and

(*ii*) which of these bils have been drained under the Bengal Agricultural and Sanitary Improvements Act, 1920, and which of these bils is it proposed to drain under that Act?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) Government have no information.

(*ii*) So far as Government are aware, none of these bils has been reclaimed.

Under Act VI of 1920, the district board should initiate major schemes of this kind.

Phthisis patients.

296. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the number of deaths from phthisis in the Pabna and other districts of Bengal in each of the last five years; and

(*ii*) what accommodation is there in the hospitals of the Pabna district for phthisis patients?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) A statement showing the mortality from phthisis during the years 1921 and 1922 is placed on the Library table. The figures for the previous years are not available.

(*ii*) There is accommodation for four phthisis patients in the Pabna Sadar Hospital. No other hospital in the district has accommodation for phthisis cases.

Settlement operations in Pabna.

297. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state whether the Government are considering the desirability of stopping, for this year, the settlement operations in the police-stations of Tarash and Ullapara, in the Sirajganj subdivision of the Pabna district, in consequence of the damage done by the recent floods within these police-stations?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: The answer is in the negative.

Admission of students from Pabna and Tippera districts into medical colleges in Calcutta.

298. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the number of students from the Tippera district who applied for admission into the Calcutta Medical College and the Carmichael Medical College, respectively, in the years from 1918 to 1922;

(*ii*) the number of students from the Pabna district who applied for admission into these colleges, respectively, in the years 1918 and 1919;

(*iii*) what were their academical qualifications;

(*iv*) what number from those two districts were actually admitted in each of those years; and

(*vi*) the number of students from those districts who were selected but who did not join?

The Hon'ble Sir SURENDRA NATH BANERJEA: A statement is laid on the Library table.

Subscription raised in Pabna for reception of His Royal Highness the Prince of Wales.

299. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether it is a fact that Babu Chunilal Mukerjee, Sadar Subdivisional Officer of Pabna, issued instructions to all the chaukidars, dafadars and panchayats of his subdivision that on the raising of the subscription for the reception of His Royal Highness the Prince of Wales depends their future prospects?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble the Member be pleased to state the authority under which this order was issued?

(*c*) Will the Hon'ble the Member be pleased to lay a copy of the circular or order on the table?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) Government have no information.

(*b*) and (*c*) Do not arise.

Non-co-operation movement in Pabna.

300. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state the present condition of the non-co-operation movement in the—

(*i*) Pabna Sadar, and

(*ii*) Sirajganj subdivisions,

respectively?

(*b*) Will the Hon'ble the Member be pleased to state how many persons in the district of Pabna have given up their—

(*i*) titles,

(*ii*) appointments, and

(*iii*) honorary offices,

in consequence of the said movement?

(*c*) Will the Hon'ble the Member be pleased to state whether there has been any difficulty in realizing the chaukidari dues in the—

(*i*) Sadar, and

(*ii*) Sirajganj

subdivisions of the Pabna district?

(*d*) If the answer to (*c*) above is in the affirmative, will the Hon'ble the Member be pleased to state the names of the places where there has been trouble?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*) and (*ii*) Inactive.

(*b*) (*i*) None.

(*ii*) Three.

(*iii*) Two.

(*c*) and (*d*) There has been some difficulty in recovering the chaukidari tax in the Sadar subdivision, but there is little at present. Government do not consider that any useful purpose will be served by enumerating the places where there has been difficulty.

Expenses of boat hire for service of processes of civil courts within the municipal areas of Pabna-Bogra.

301. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing the amount realized and the amount actually spent annually, for the last five years in the district of Pabna-Bogra to meet the expenses of boat hire, for service of processes of the civil courts?

(*b*) Is the Hon'ble the Member aware that within the municipal area of the Pabna-Bogra district, boats are not required for service of processes?

(*c*) If the answer to (*b*) above is in the affirmative, why are boat hires realized for service of processes within the municipal areas of the Pabna-Bogra district?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) A statement is laid on the table. The figures for the years 1918 and 1919 are not available.

(*b*) and (*c*) Within the municipal area of Pabna, Sadar and Bogra, boats are not required for service of processes but within the greater portion of the municipal area of Sirajganj, boats are indispensably necessary for the said purpose.

Boat hire for the service of processes is realized in accordance with the schedule annexed to rule 7, chapter V, page 149 of the High Court's General Rules and Circular Orders, Volume I, Civil.

Statement referred to in the reply to clause (a) of unstarred question No. 301, showing the amount realized and the amount actually spent, annually, for the last three years (1920—1922) in the districts of Pabna and Bogra to meet the expenses of boat hire, for service of processes of the civil courts.

Year.	Amount realized.			Amount actually spent.		
	Rs.	A.	P.	Rs.	A.	P.
1920	7,076	11	0	3,947	0	0
1921	5,608	9	0	4,149	0	0
1922	5,083	9	0	3,655	0	0
Total	17,828	13	0	11,751	0	0

Alleged boycott of non-English cars in Calcutta.

302. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact that the Public Motor Vehicles Department at Fenwick Bazar, Calcutta, have started a campaign against cars which are not of English make?

(*b*) Is the Hon'ble the Member aware that the tendency to boycott non-English cars has caused and will cause much loss to taxi-owners who are already plying cars other than those of English make?

(*c*) Is it a fact that these cars are being disallowed for no other reason than their being not of English make?

(*d*) If not, what is the reason for this?

MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Mr. H. L. Stephenson): (*a*) It is not a fact.

(*b*) There is no such tendency.

(*c*) No.

(*d*) Does not arise.

Honorary magistrates of Pabna.

303. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to lay on the table a statement showing—

(*i*) the names and the educational and other qualifications and occupations of all the honorary magistrates of the Pabna district; and

(*ii*) a list of those honorary magistrates in the Pabna district who have been invested with single sitting powers?

The Hon'ble Sir ABD-UR-RAHIM: A statement is laid on the Library table.

Construction of culverts and waterways in roads and railways in North Bengal.

304. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state whether the Government are considering the desirability of taking steps to have a sufficient number of culverts and waterways constructed in the roads and railways in North Bengal before the next rains set in?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: Government have appointed a Committee to go into this question, but it is unlikely that a decision will be arrived at till November next.

Cholera and malaria in Pabna.

305. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) what has been the number of deaths from cholera and malaria, respectively, in the different subdivisions of the district of

Pabna in the years 1918, 1919, 1920, and 1921, thana by thana;

(*ii*) what arrangements have been made by Government to supply good drinking water in the areas particularly affected with cholera;

(*iii*) whether the Government have any statistics to show what parts of Pabna are considered as highly malarious; and

(*iv*) has there been any anti-malarial project worked up for those parts?

(*b*) If the answer to (*a*) (*iv*) is in the negative, will the Hon'ble the Minister be pleased to state when such a project is likely to be taken in hand?

(*c*) Will the Hon'ble the Minister be pleased to state whether it is in the contemplation of Government to get the malarious tract in the district of Pabna surveyed by the Sanitary Commissioner at an early date?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) (*i*) The member is referred to the statistics which appear in the Public Health Reports of the Director of Public Health. Deaths from malaria are not recorded separately but are shown under "Fever." Subdivisional figures are not available.

(*ii*) The local bodies concerned are responsible for taking measures for the supply of good drinking water.

(*iii*) No.

(*iv*) Government have no information.

(*b*) It is not possible for Government to say when such a project is likely to be taken in hand.

(*c*) No staff is available for this work at present.

Facilities to patients for anti-rabic treatment.

306. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) what facilities are given or concessions made by the Government of Bengal to patients who desire to proceed to the Pasteur Institutes at Shillong and Kasauli, respectively; and

(*ii*) what is the procedure necessary to enable patients to obtain these concessions or facilities?

The Hon'ble Sir SURENDRA NATH BANERJEA: Copies of the memoranda of information for the guidance of patients proceeding for anti-rabic treatment to the Pasteur Institutes at Shillong and Kasauli are laid on the Library table.

Culverts and bridges on Pabna-Ishurdi road.

307. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) what is the number of culverts and bridges on the Pabna-Ishurdi road maintained by the district board of Pabna;

(*ii*) whether it is a fact that three bridges and culverts have been closed by the Pabna district board on the said road; and

(*iii*) whether it is a fact owing to the closing of these three culverts, the water on both sides of these closed culverts, finding no outlets there, has accumulated and are stagnating?

(*b*) Are the Government considering the desirability of asking the Pabna district board to take early steps to reopen these culverts or to provide other adequate means for outlets of water at the places?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Government have no information.

(*b*) The obligation to provide proper waterways in district board roads lies on the local body and Government are not at present in a position to formulate directions to district boards.

Pabna District Flood Relief Committee.

308. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) what amount has been collected up to date by the Pabna District Relief Committee which was formed on the 12th October, 1922, at a public meeting held in the town hall under the presidency of Mr. H. Quinton, I.C.S., the District Magistrate, to raise funds for relieving the distress of the people of the flood-stricken area;

(*ii*) how many centres are working under this Committee and how many officials and non-officials are engaged in relief work in Pabna district;

(iii) what work has been done by this Committee up to date and how long is the work of this Committee to continue; and

(iv) how much has been contributed to this Committee by (a) Government, (b) district board of Pabna, (c) municipalities of Pabna and Sirajganj, (d) zamindars of the district, and (e) other public bodies of Pabna?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (a) (i) A sum of Rs. 3,046 has been collected up to date by the Pabna District Relief Committee.

(ii) There is at present only one centre at Sitlai under the Committee and one non-official and one official are engaged in the relief work.

(iii) The Committee have spent approximately the following amounts for the purposes noted below:—

Distribution of rice—Rs. 521.

Distribution of cloth—Rs. 98.

Distribution of fodder—Rs. 729.

Distribution of medicine—Rs. 216.

Distribution of *charka*—Rs. 50.

Agricultural expenditure—Rs. 250.

House rebuilding—Rs. 300.

Miscellaneous expenditure—Rs. 74.

Distribution in cash—Rs. 5.

Boat hire and cost of diet and travelling allowance of workers—Rs. 127.

The Collector reports that the relief work of the Committee will be continued so long as there is necessity for it and so long as funds permit.

(iv) (a), (b), (c) and (e) Nil; (d) Rs. 1,200 approximately.

Scarcity of drinking water in Pabna.

309. SHAH SYED EMDADUL HAQ: (a) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that there is great scarcity of good drinking water in the district of Pabna?

(b) Was the attention of the Hon'ble the Minister drawn to this fact during the last dry season in regard to the interior villages of the Sadar and Sirajganj subdivisions?

(c) What steps, if any, are the Government taking to remedy this?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The rural water-supply is inadequate in many districts in the hot weather. Government have no special information regarding Pabna.

(*b*) Water-supply is a primary duty of local authorities. The general question of rural water-supply will be considered at a Conference to be called by the Minister in March.

Pabna-Mathura and Khalishpur-Satbaria roads.

310. SHAH SYED EMDADUL HAQ: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been drawn to the deplorable condition of the Pabna-Mathura road and the Khalishpur-Satbaria road *via* Sujanagar in the district of Pabna?

(*b*) Is the Hon'ble the Minister aware of the inconvenience caused thereby to the passengers and to traffic especially in the rainy season?

(*c*) Are the Government considering the desirability of taking immediate steps to metal the roads referred to in (*a*) above?

(*d*) Are the Government aware that petitions have been made more than once to the district board of Pabna to better the condition of the roads?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) The answer is in the negative.

(*c*) The local bodies concerned are responsible for the maintenance of these roads and Government do not propose to take any action.

(*d*) No.

Sanitary drainage schemes of Noakhali, Pabna and Tippera.

311. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) the names and description of the schemes which have been drawn up by the district boards of Noakhali, Pabna and Tippera in accordance with the Bengal Agricultural and Sanitary Improvement Act;

(*ii*) the probable costs of each of the schemes;

(*iii*) when is each of these schemes likely to come to fruition; and

(*iv*) whether the Government have examined and approved any of these schemes?

(*b*) If the answer to (*a*) (*iv*) is in the affirmative, will the Hon'ble the Minister be pleased to state which of the schemes have been examined and approved, indicating the dates of approval in each case?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) (*i*) So far as Government are aware, no application has been made by these district boards under the Act.

(*ii*), (*iii*), (*iv*) and (*b*) These questions do not arise.

Sale-proceeds of unclaimed properties.

312. Maulvi FAZLAL KARIM: (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state—

(*i*) what becomes of the sale-proceeds of unclaimed properties seized by the police;

(*ii*) whether it is a fact that those sale-proceeds are now spent in a way different from that in which they used to be spent previously;

(*iii*) if so, from what year are they being spent in a different way; and

(*iv*) what are the average sale-proceeds of unclaimed properties in Bengal every year?

(*b*) Are the Government considering the desirability of spending those sale-proceeds or any part thereof in charity, such as aid to dispensaries or for a famine relief fund?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) (*i*) They are credited to Government under the head "XVII.—Administration of Justice—Sale-proceeds of unclaimed and escheated property."

(*ii*) and (*iii*) No. They are not used for expenditure on any specific object but form part of the total revenue.

(*iv*) The budget estimate under the above head for this year is Rs. 50,000.

(*b*) No.

Courts of Additional District Judges and Sub-Judges at stations other than headquarters towns.

313. Babu SATISH CHANDRA MUKHARJI: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state the names of the districts where Sub-Judges and Additional District Judges have been stationed other than the headquarters towns?

(*b*) Have the Government provided buildings of their own for the courts of the said officers in such places?

(*c*) Will the Hon'ble the Member be pleased to state the expenditure incurred in such places for such courts?

(*d*) Are the Government considering the desirability of amalgamating these courts with those at headquarters towns for the purpose of reducing the expenditure?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Asansol, district Burdwan; Sealdah, district 24-Parganas.

(*b*) Yes.

(*c*) No extra expenditure is incurred at Asansol as the Sub-Judge is accommodated in the Munsif's court. The maintenance charge for the Sealdah building is Rs. 2,100 a year.

(*d*) As both the buildings belong to Government the question of reduction of expenditure by changing them does not arise.

Drainage schemes.

314. Babu NALINI NATH ROY: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing, year by year, and district by district, for the period from 1912 to 1922—

(*i*) how many applications for construction of works under Bengal Act VI of 1880, Bengal Act VIII of 1895, Bengal Act II of 1902, and Bengal Act VI of 1920 have been received by the Government;

(*ii*) how many of these applications were dealt with under section 4 of Bengal Act VI of 1920 and the corresponding sections of the other Acts mentioned above;

(*iii*) how many schemes have been completed under section 5 of the Act of 1920 and the corresponding sections of the other Acts mentioned above;

(*iv*) how many such works have been fully completed; and

(*v*) how many such works have been partially completed?

The Hon'ble Sir SURENDRA NATH BANERJEA: The compilation of this information would involve an elaborate examination of records both in the Secretariat and in district offices and Government are of opinion that the labour and time involved would not be justified.

Local Self-Government (Amendment) Bill and Public Health Bill.

315. Khan Bahadur Maulvi WASIMUDDIN AHMED: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is intended to introduce a Bill amending the Local Self-Government Act within the year 1922-23?

(*b*) Does the Hon'ble the Minister propose to introduce a Bill called the Bengal Public Health Bill of 1919, as drafted in the year 1919, or in any amended form, during the current year?

(*c*) If not, will the Hon'ble the Minister be pleased to give the reasons for the postponement of the introduction of a Public Health Bill?

The Hon'ble SIR SURENDRA NATH BANERJEA: (*a*) The member is referred to the reply given to starred question No XXXIII put by Shah Syed Emdadul Haq on the 29th January last.

(*b*) The answer is in the negative.

(*c*) The Bill was circulated to district and local boards and to District Officers and Commissioners of Divisions. The replies received showed that there were considerable differences of opinion as to the proposed measure. It was also considered by the District Board Conference held in January, 1921. The Conference was opposed to legislation on the lines of the Bill, partly because it was not prepared to endorse the proposal for the levy of a sanitary cess on which the Bill is based and partly because there was a division of opinion as to whether the local board should be made the rural sanitary authority. Government subsequently decided that the Bill should be dropped for the present and that some of the administrative clauses of the Bill should be included in the new Bengal Municipal and Local Self-Government Bills.

Chittagong Medical School and admission of students from Chittagong division into the Calcutta medical schools.

316. Babu ANNADA CHARAN DUTTA: (*a*) With reference to the reply given on the 20th November, 1922, to clause (*b*) of unstarred question No. 28 put by Shah Syed Emdadul Haq, will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether he is aware that His Excellency, during his recent tour at Chittagong and at Rajshahi, stated that Government would take the Chittagong medical school question first?

(*b*) Are the Government considering the desirability of taking steps to keep open the Campbell Medical School for students from the Chittagong division and to allow the admission of a certain number of such students both in the Dacca and in the Calcutta medical schools?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The answer is in the affirmative.

(*b*) The attention of the member is drawn to the footnote under rule 10 of the Rules for the Management of Government Medical Schools, a copy of which is placed on the Library table. Government do not propose to modify this rule.

Anti-malarial scheme for Pabna.

317. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether any comprehensive anti-malarial scheme has been prepared for the Sadar subdivision of the district of Pabna?

(*b*) If not, is the preparation of any such scheme under contemplation?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) No.

(*b*) Government are not in a position to prepare any such scheme at present. The Irrigation staff is fully employed, and apart from the Bhairab scheme, it is not practicable at the moment for Government to prepare designs for other important projects, which might be termed major irrigation or anti-malarial works. Moreover, it is for the District Board to take up the initiative under Act VI of 1920 in respect of local schemes of this nature.

Maintenance charges of Gumti embankment.

318. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Irrigation be pleased to state whether it is a fact that the Government used to pay a subsidy of Rs. 10,000 to the Maharaja of Tippera by deducting the amount from the Government revenue payable by the Maharaja to the Government for the maintenance of the Gumti embankment?

(*b*) Will the Government be pleased to state how long the charge of the maintenance of the said embankment was in the hands of the Maharaja of Tippera?

(*c*) Did the Maharaja of Tippera ever demand or realize the cost of the maintenance from the tenants or tenure-holders or any other persons benefited?

(*d*) Is it a fact that the Government are now realizing costs from the zamindars and tenants?

(*e*) Will the Hon'ble the Member be pleased to state the reasons for such realization of cost from the persons benefited?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) Government are not aware of the fact.

(*b*) For about 42 years from August, 1878, to May, 1920.

(*c*) Government have no information on the point.

(*d*) Yes.

(*e*) The embankments are zamindari embankments taken charge of by Government for proper maintenance under the Bengal Embankment Act, II of 1882. Under the provisions of the Act, the maintenance charges are recoverable from the persons benefited.

Boundary dispute cases of Pabna and Bogra.

319. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Department of Revenue (Land Revenue) be pleased to state—

(*i*) whether it is a fact that the Settlement, Assistant Settlement, and Revenue Officers in the districts of Pabna and Bogra, when holding inquiries into boundary dispute cases arising under the Bengal Survey Act, V of 1875, do not as a rule record a memorandum of evidence nor do they rely on the maps and other documentary evidence relating to the lands produced by the parties;

(*ii*) whether it is a fact that these officers simply pass sweeping remarks in their judgments that the witnesses examined by the party in whose favour they wish to decide the cases, are only reliable and that their evidence satisfactorily proves the cases of the parties on whose behalf they depose;

(*iii*) whether it is a fact that remarks are made in the judgment that the documents such as *chittas*, registered deeds, etc., which are produced by the winning party do support that party's case;

(*iv*) whether it is a fact that many such appeals were filed in Pabna-Bogra districts, but there being no materials on the record to show that the orders complained of were wrong, almost all these appeals were dismissed?

(*b*) Are the Government considering the desirability of issuings instructions to the officers trying boundary dispute cases in the first instance, directing them to record the substance of the depositions of witnesses examined and also to show the reasons why the documents produced by the winning parties were relied upon?

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: (*a*) and (*b*) The procedure which is being followed is in accordance with section 41 of the Bengal Survey Act. In only one case did the officer hearing an appeal find that the Assistant Settlement Officer had stated the reasons for his decision in an adequate manner and he has ordered further inquiry. Appeals have been filed in 67 cases out of 305.

Improvement of sugar manufacture.

320. Rai HARENDRANATH CHAUDHURI: (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state—

(*i*) what steps are being taken to improve the sugar position of Bengal; and

(*ii*) what steps have been taken to make the botanical and chemical survey of the canes at present growing in Bengal?

(*b*) Have the Government been able to ascertain what parts of Bengal might be well-adapted to the rapid propagation of sets of new varieties on the Java system?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) (*i*) and (*ii*) The member is referred to the Annual Reports of the Agricultural Department for the last ten years.

A careful survey of indigenous canes has already been made and a large number of exotic canes have also come under observation at Dacca and at other Government Farms in Bengal.

As a result of this work the cane known as Yellow Tanna, which is now so popular, was selected for distribution as being the most suitable cane yet met with for Bengal conditions. Other canes are continually being tried, and a hybrid, Co. No. 214, bred at the Government of India cane-breeding station at Coimbatore, shows great promise.

(*b*) Rapid propagation on the Java system is being experimented with at Dacca. So far the results have not been encouraging which is probably due to the comparatively unfavourable conditions at Dacca. The system will be tried in other parts of the province in the coming season.

Cost of the new subdivision of Jhargram.

321. Mr. AJOY CHUNDER DUTT: Will the Hon'ble the Member in charge of the Political Department be pleased to lay on the table a statement showing—

(*i*) the cost (capital and recurring) incurred so far in connection with the new subdivision of Jhargram;

(*ii*) the approximate cost to be incurred annually in connection with that subdivision;

(*iii*) the number of cases disposed of so far by the Subdivisional Officer of that subdivision; and

(*iv*) the number of judicial and ministerial officers employed in that subdivision?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) The capital cost for land and buildings is Rs. 2,59,057.

(*ii*) The detailed figures of recurring cost have not been separately compiled. Most of the recurring expenditure is not new but has simply been transferred from Midnapore to the subdivision.

(*iii*) The Subdivisional Officer disposed of 543 cases out of a total of 760 for the subdivision during 1922.

(*iv*) There are seven ministerial officers. In addition to the Subdivisional Officer there is a Sub-Deputy Magistrate. Last month another Sub-Deputy Magistrate was deputed there for revenue inquiries and to supervise the chaukidari administration which needs special attention.

New Jhargram subdivision in Midnapore.

322. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Political Department be pleased to state in regard to the new subdivision called Jhargram subdivision which has been opened in the district of Midnapore in January, 1922—

(*i*) whether it is a fact that this subdivision was opened in the teeth of public opposition and in utter disregard of popular feeling;

(*ii*) whether it is a fact that this subdivision has burdened the Government with heavy recurring expenditure;

(*iii*) what has been the initial cost and recurring expenditure for this subdivision from January to December, 1922; and

(*iv*) whether it is a fact that the income of the Government from the civil and criminal courts of this subdivision falls far short of the necessary expenditure for the upkeep of the subdivision?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) It is not a fact. The Council voted the grant for it, a motion to refuse the grant being defeated by 70 votes to 4.

(*ii*) No.

(*iii*) The member is referred to the answer given at this meeting to the question asked by Mr. Ajoy Chunder Dutt.

(*iv*) The subdivision was opened to improve the administration of a neglected area and not as a commercial undertaking.

Government grant to the Pabna hospital.

323. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) whether the Government are making a special capital and recurring grant towards the needs of the Pabna charitable dispensary as foreshadowed in the speech of His Excellency the Governor at Pabna on the 18th August, 1922;

(*ii*) if so, what is the amount which it is proposed to grant and when will such grant be made;

(*iii*) whether it is proposed to impose any conditions on the charitable dispensary for this grant; and

(*iv*) if so, what are the conditions which it is proposed to impose?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) and (*ii*) Government have offered to make a special non-recurring grant of Rs. 5,000 to the Pabna hospital during the current financial year.

(*iii*) and (*iv*) On condition that the Dispensary Committee should find the balance required to meet the urgent needs of the institution.

Number of patients treated in the charitable dispensaries in Pabna.

324. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to make a statement showing the average number of patients treated in the charitable dispensaries in the district of Pabna during the triennial period 1912-13 to 1914-15 and also during the last triennial period?

(*b*) What has been the average cost of medicines for these triennial periods per patient in these dispensaries?

(*c*) Will the Hon'ble the Minister be pleased to state whether the Government have taken into consideration the rise in prices of medicines in making grants for medicines to the charitable dispensaries in the district?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) The only information which is available will be found in Statement B of the Annual Report on the working of the hospitals and dispensaries in Bengal, copies of which are available in the Council Library.

(*b*) The information is not available.

(*c*) No.

Publication of Government advertisements in the "Sanjivani."

325. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state—

(*i*) whether it is a fact that the memorandum No. 13922-35P., dated the 12th September, 1922, was issued over the signature of the Under Secretary to the Government of Bengal, Political Department, to the Public Works Department,

(*ii*) whether it is a fact that it was suggested in that memorandum, "that the Public Works Department and its subordinate officers may find it (*Sanjivani*, a Bengali weekly newspaper of moderate views) a suitable medium for Government advertisements"; and

(*iii*) why was the *Sanjivani* only selected for this purpose?

(*b*) Will the Hon'ble the Member be pleased to state—

(*i*) the names of the other newspapers in which Government advertisements are published, and

(*ii*) the reasons for the exclusion of other papers?

The Hon'ble Mr. H. L. STEPHENSON: (*i*) and (*ii*) Yes.

(*iii*) The fact that this paper did not receive Government advertisements and might be a suitable medium for these was brought to the notice of Government. The cases of other newspapers did not arise at that time.

(*b*) The information is not readily available, since each department inserts its advertisements in such papers as seem to it most suitable for the purpose it has in view.

Cost of land and building for the proposed Bajitpur subdivision.

326. Mr. S. M. BOSE: (*a*) With reference to the reply to my question No. 50 on the 3rd July, 1922, will the Hon'ble the Member in charge of the Political Department be pleased to state the expenditure already incurred on land and building for the proposed Bajitpur subdivision?

(*b*) Have the Government considered the feasibility of modifying the scheme for the proposed subdivision?

(*c*) If so, have any revised estimates been prepared?

The Hon'ble Mr. H. L. STEPHENSON: (*a*) The expenditure incurred is as follows:—Acquisition of land—Rs. 51,068; raising the site—Rs. 70,517; deepening tanks—Rs. 10,477; manufacture of bricks —Rs. 20,745.

(*b*) No.

(*c*) Does not arise.

District board grants to union committees in Pabna.

327. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing the grants made by the district board of Pabna to each union committee constituted under the Bengal Local Self-Government Act of 1885, each year during the last three years?

The Hon'ble Sir SURENDRA NATH BANERJEA: The establishment of four union committees, viz., Chat Mohor, Bera, Ullapara and Shahazadpur in the Pabna district was sanctioned in July, 1919, but they commenced working from the year 1920-21. As to the grants made by the Pabna district board during the years 1920-21 and 1921-22, the member is referred to column 11 of Appendix E to the resolution on the working of district boards in Bengal for 1920-21 and of Appendix E for 1921-22 of which a copy in proof is laid on the Library table.

Strength of the factory inspecting staff.

328. Maulvi FAZLAL KARIM CHOWDHURY: (*a*) Will the Hon'ble the Member in charge of the Department of Commerce be pleased to state—

(*i*) the reason for not increasing the strength of the factory inspecting staff;

(*ii*) whether it is a fact that there has been an abnormal increase in the number of factories in the province since the introduction of the New Factories Act?

(*b*) Is it a fact that Factory Inspectors with necessary qualifications from England cannot be obtained owing to the smallness of the salary offered?

(*c*) Is it also a fact that the salaries paid to the members of this department are much lower than those paid to the Inspectors of other similar departments specially those administered by the Government of India?

(*d*) Has the attention of the Hon'ble the Member been drawn to the fact that the travelling and motor car allowances paid to the Factory Inspectors do not meet the actual expenses?

Mr. A. MARR: (*a*) (*i*) Government have been unable to increase the factory inspection staff owing to financial stringency.

(*ii*) There has not been an abnormal increase in the number of factories in the province since the amended factories Act came into operation, but there has been a large increase in the number of factories registered. The increase is due to the provisions of the amended Act.

(*b*) The member is referred to the answer to (*a*) (*i*) above. For financial reasons Government do not propose to recruit further staff at present, so that it is impossible to say whether Factory Inspectors with the necessary qualifications from England can be recruited at the present rates of pay, or not.

(*c*) If, by other similar departments, the member refers to the factory inspection staff of other provinces and the mines inspection staff of the Government of India, it is not a fact that the salaries of the members of the Bengal staff are much lower than those paid to the factory inspection staff of other provinces. The members of the mines inspection staff of the Government of India are paid on a higher scale than the members of the Bengal factory inspection staff.

(*d*) Yes, representations have been made to Government that the allowances referred to do not meet the actual expenses.

European and Anglo-Indian unemployment.

329. Mr. H. A. STARK: (*a*) Is the Hon'ble the Minister in charge of the Department of Agriculture and Industries aware of the chronic state of unemployment among the European and Anglo-Indian community in Calcutta?

(*b*) Have the Government instituted any inquiries into the matter? If so, with what result?

(*c*) Has it come to the knowledge of Government that the calls for charitable relief exceed the potentialities of the present charitable institutions in this city?

(*d*) Are the Government considering the desirability of taking early action to afford relief—

(*1*) by introducing a system of doles as in England; or

(*2*) by organizing measures for finding employment for the unemployed?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) Government are aware of the present state of unemployment among the European and Anglo-Indian community in Calcutta.

(*b*) No.

(*c*) Government understand that the calls for charitable relief have been heavy.

(*d*) (*1*) No.

(*2*) There is a committee considering the question of unemployment among the educated middle class in Bengal and their findings may be of use in connection with Anglo-Indian unemployment.

Mr. H. A. STARK: I desire to inquire whether the Committee has been instructed to consider the question of unemployment among the Anglo-Indian community in Calcutta. If not, will the Hon'ble the Minister be pleased to instruct it to do so?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: Yes, we can give them the instruction.

Ratio between the inspecting officers and teachers.

330. Rai Dr. HARIDHAN DUTT Bahadur: Will the Hon'ble the Minister in charge of the Department of Education be pleased to state the ratio between the inspecting officers, and teachers actually occupied in teaching, among the Indian Educational Service, the Provincial Educational Service, and the Subordinate Educational Service of the Education Department during the year 1922?

The Hon'ble Mr. P. C. MITTER: The statement below gives the required information:—

	Ratio of inspecting to teaching officers.
Indian Educational Service—	
Men's Branch	8 : 45
Women's Branch	1 : 1
Bengal Educational Service—	
Men's Branch	1 : 4
Women's Branch	4 : 3
Subordinate Educational Service	1 : 4

Waiting sheds at East Bengal river stations.

331. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Marine Department aware—

(*i*) that there is no waiting shed for passengers at any of the numerous East Bengal river stations;

(*ii*) that on board the steamer, except in express services, there is no arrangement for messing;

(*iii*) that there is no arrangement for supplying pure drinking water;

(*iv*) that in privies there are seats for a dozen people sitting close together, having no screen in front;

(*v*) that there is no arrangement for bath for inter and third class passengers;

(*vi*) that female third class passengers are expected to sit around the boiler and that in the summer they and children suffer from indescribable heat, and

(*vii*) that the accommodation of the second class passengers is like a furnace with heat of the boiler on two sides?

(*b*) Is the Hon'ble the Member considering the desirability of drawing the attention of the steamer authorities to these grievances and of asking them to take steps at an early date to remedy them?

SECRETARY to GOVERNMENT, MARINE DEPARTMENT (Mr. A. Marr): (*a*) (*i*) to (*vii*) Government have no information beyond that contained in the replies to unstarred question No. 3 asked by Maulvi Fazlal Karim at the meeting of the Council held on the 4th July, 1921, and unstarred question No. 258 asked by Babu Bhishmadev Das at the meeting of the Council held on the 6th September, 1921.

(*b*) There are numerous steamer services in East Bengal and the principal steamer companies have intimated their inability to give replies to a question couched in such general terms. If the member will confine his inquiries to particular steamer services, Government will consider whether any action is necessary.

Means of communication in Pabna.

332. SHAH SYED EMDADUL HAQ: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been drawn to the condition of the means of communication in the district of Pabna especially in the Sadar subdivision?

(*b*) Will the Hon'ble the Minister be pleased to state the amounts annually spent during the last ten years in constructing and maintaining roads in the Sadar subdivision of the Pabna district?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) A reference is invited to the reply given to a somewhat similar question but by Shah Syed Emdadul Haq in August, 1922. Government have no further information.

(*b*) Government are unable to compile this information without considerable labour, which in their opinion would not be justified by its value.

Cost of establishment of the Public Works Department in Pabna.

333. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Public Works be pleased to state—

(*i*) How many Subdivisional Officers, Public Works Department, are posted to the district of Pabna;

(*ii*) what was the establishment cost of the Government when the whole work was entrusted to the district board of Pabna; and

(*iii*) what is the present establishment cost?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*i*) One.

(*ii*) The establishment cost was 15 per cent. on the value of work done.

(*iii*) The present establishment cost is 5·5 per cent. on the value of work done.

Competitive examination for the recruitment of certain services under Government.

334. Babu BHISHMADEV DAS: Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether it is in the contemplation of the Government to introduce the system of competitive examinations for the recruitment of sub-registrars, munsifs and sub-inspectors of police?

The Hon'ble Mr. H. L. STEPHENSON: Subject to certain reservations Government contemplate introducing the system of competitive examination for the recruitment of sub-registrars but not for that of munsifs and sub-inspectors of police.

Missing of records from the office of the Sirajganj Munsif's Court.

335. SHAH SYED EMDADUL HAQ: (*a*) Is the Hon'ble the Member in charge of the Judicial Department aware that some records from the office of the Court of the Munsif of Sirajganj in the judgeship of Pabna-Bogra are missing?

(*b*) If so, how many of them are missing and how many of them have been traced up to date?

(*c*) Is it a fact that some of the ministerial officers of Sirajganj have been suspended?

(*d*) If so, what are their names and what is the nature of the respective offences for which each of them has been punished?

(*e*) Are the Government considering the desirability of issuing instructions to all the judicial officers in the Presidency to be more careful of their records in future?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) Yes.

(*b*) Five records were missed from the custody of clerk Abdus Sattar and one record from the custody of clerk Jahiruddin Sarkar. None of the missing records have been traced out yet. All the records have been reconstructed.

(*c*) and (*d*) Clerks Abdus Sattar and Jahiruddin Sarkar have been suspended until further orders for neglect of duty in respect of the missing of the records and the Sarishtadar, Jyotish Chandra Bagchi, has been suspended for one month and eighteen days for forming a clique among the ministerial officers and for shielding the abovenamed two clerks from whose custody the records were missed, as also for some other offences.

(*e*) No.

Sheriffs and Deputy Sheriffs of Calcutta.

336. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state how and under what authority the Sheriffs and Deputy Sheriffs of Calcutta are appointed and what are their functions, powers and terms of office?

(*b*) When was the Sheriff and Deputy Sheriff first appointed and how many have been appointed up to date, stating the communities to which they belonged?

(*c*) Do the appointments of Sheriffs and Deputy Sheriffs carry any remuneration with them?

(*d*) In what respects are the Sheriffs and Deputy Sheriffs subordinate to (*i*) the Government, and (*ii*) the High Court?

The Hon'ble Sir ABD-UR-RAHIM: (*a*) The Sheriff of Calcutta is appointed by the Governor-General in Council upon the recommendation of the Hon'ble the Chief Justice of Bengal, who submits the names of three persons to the Governor-General in Council in accordance with the Statutes relating thereto.

The Deputy Sheriff is appointed by the Sheriff. Under the Statute the Sheriff shall execute his duties himself or by deputies to be appointed by him. The term of the Sheriff's office is one year. The functions are to execute all the writs, summonses, rules, orders, warrants, commands and processes, etc., etc., of the court, to attend the Judges at the criminal sessions, to receive and lodge in prison such persons as shall be committed to him for that purpose.

(*b*) The first Sheriff according to available information was appointed in 1774. Up to date 154 Sheriffs have been appointed. Up to 1865 all the Sheriffs were Europeans. Since then there have been 2 Jews, 2 Parsees, 3 Armenians, 2 Marwaris, 6 Muhammadans, 10 Hindus and 37 Europeans who held the office of Sheriff of Calcutta.

The Deputy Sheriff was first appointed in 1774.

(*c*) The Sheriff is remunerated by fees, out of which the costs of the Sheriff's office and establishment and the remuneration of the Deputy Sheriff are paid.

(*d*) The Sheriff and Deputy Sheriff are bound by law to carry out the duties imposed upon them by the Statutes.

The Calcutta Rent Act.

337. Babu AMULYA DHONE ADDY: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been drawn to the depreciation in the price of house-property in Calcutta due to the operation of the Calcutta Rent Act?

(*b*) Is it a fact that this depreciation is likely to affect even the revenue of the Calcutta Corporation?

(*c*) Are the Government considering the desirability of taking the necessary steps so that the landlords may charge, and the tenants may be enforced to pay, fair rents on the basis of, say, 7 per cent. of the estimated value of lands with buildings erected thereon, instead of extending the operations of the said Act?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) No.

(*b*) The question does not arise.

(*c*) Government will consider whether in the event of rent control being continued, the principles of the present Act afford the best means of fixing a standard rent.

Non-official Members' Bills.

The Bengal Village Self-Government (Amendment) Bill, 1923.

SHAH SYED EMDADUL HAQ: I move that the Bengal Village Self-Government (Amendment) Bill, 1923, be circulated for eliciting opinion thereon.

Mr. PRESIDENT: Are you proposing to move for leave or do you want the Hon'ble the Member to make a statement?

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT (Mr. S. W. Goode): I would merely state that Government have every desire to consider the Bill which the member is introducing most carefully, and we wish to obtain the views of local bodies on that Bill. We have therefore suggested that the consideration of the Bill by the Council should be postponed for the time being.

Mr. PRESIDENT: Shah Sahib are you satisfied with that statement?

Shah Syed Emdadul Haq then withdrew his motion.

The motion was then, by leave of the Council, withdrawn.

The Calcutta Rent (Amendment) Bill, 1923.

Mr. J. CAMPBELL FORRESTER: I have the honour to-day to move that the Calcutta Rent (Amendment) Bill, 1923, be referred to a Select Committee, consisting of the Hon'ble Sir Surendra Nath Banerjea, Mr. G. N. Roy, Mr. S. W. Goode, Mr. T. Emerson, Babu Surendra Nath Ray, Mr. Krishna Chandra Ray Chaudhuri, Babu Jatindra Nath Basu, Mr. D. J. Cohen, Babu Surendra Nath Mallik, Mr. Huseyn Shaheed Suhrawardy, Maulvi A. K. Fazl-ul Haq, Mr. H. A. Stark, Mr. R. H. L. Langford James, Raja Reshee Case Law, and the mover, with instructions to submit their reports in time for its consideration at the present session of the Council.

In the first place, I would hope that there is no objection to the personnel of the Committee.

Before I come to my Bill, I would like to make a few general remarks.

It will be within the recollection of the members of this House that the Government in 1920 found it necessary to introduce the Rent Act, because housing accommodation in Calcutta was unequal to the demand, thus putting landlords into a position in which they had the tenants at their mercy, and many landlords took advantage of this position to extort exorbitant rents until the tenants were driven to despair and were goaded into taking active action against this unequal struggle. The Government recognized this injustice and the result was the present

Act, which, in spite of all its faults and loopholes, has done good. To-day, I ask you to extend and amend this Act, as I contend it is more urgently required to-day than when the Act was passed.

Let me start by illustrating the first instance that I am aware of. A house in Theatre Road was let in August, 1918, for Rs. 475, and in December, 1918, was let for Rs. 1,400 to a Japanese. We may presume that the Japanese were ignorant of rent value and were thus the unconscionable means of starting this rent-racking.

I give a few other instances:—

Situation of houses.	Rent in 1914.	Rent in 1921-22.
	Rs.	Rs.
	Per mensem.	Per mensem.
5, Camac Street, 2 flats	550	1,200
9, Camac Street	477	650
2, Theatre Road	650	1,875
9, Theatre Road	600	1,200
28, Theatre Road	275	800
50, Theatre Road	475	1,350
4/1, Middleton Street	550	1,200
2, Middleton Row	515	1,500
3, Middleton Row	550	1,350
4, Elysium Row	500	1,100
18, Lee Road	475	850
13, Loudon Street	600	1,100
12, Alipore Park	475	675
16, Alipore Park	320	450
1, Dover Park, Ballygunge	265	500
13, Ballygunge Store Road	450	800
3, Upper Wood Street	520	750

These cases, I have given, have not come before the Controller. I would ask the Government to state the cases, that have come before the Controller—thousands of them—I know he is very busy.

I have been told that the rent of Messrs. Bourne & Shepherd, No. 10, Chowringhee Road, has been raised from Rs. 800 to Rs. 3,300.

One can readily understand that these inflated rents can only be met by overcrowding, or tremendous self-denial on the tenant's part. I know of one place in Rawdon Street, four rooms, meant for one family in which there are 13 adults and 20 servants living. One stands aghast at the serious consequences if this continues, and the health of the city will be in jeopardy.

I visited the Indian quarters—Chitpur Road, Lower and Upper; Pathuriaghatta Road; Baranoshi Ghosh Street—and other quarters. One of India's greatest benefactors said—

> Administration will be all the more efficient if the officers who conduct it have greater opportunities of regular contact with those whom it affects.

Therefore, I considered it was my duty to see personally what the conditions were. There they can only be described as appalling, and in the words of Coleridge:

> I counted two and seventy stenches,
> All well-defined, and several stinks.

I then visited Bentinck Street, and the numerous lanes, leading from there, which may be termed the Chinese quarter; Dharamtolla Street, Wellesley Street, and other streets in this vicinity which may be described as the Domiciled Community's quarter; and then, the European quarter, and wherever you go, you come across these two aspects—overcrowding and excessive rents.

I give you hereunder a few instances where the present Act has been very hard on the tenants, and the landlords, having found loopholes provided in the present Act, have turned their tenants out:—

No. 1, Lower Circular Road.—Tenant was paying Rs. 500 a month, but the landlord turned him out on a pretext that the premises were to be pulled down and rebuilt. It has now been relet at Rs. 650 per month, without repairs, which means Rs. 750 really.

No. 2, Theatre Road.—Tenant was paying Rs 650 per month. The landlord got him out on the excuse that he was going to occupy the house himself, and after making certain additions and alterations, has now relet, under the heading of "first letting," at Rs. 1,875 (ground floor for Rs. 550, middle floor for Rs. 675, and top floor for Rs. 650).

No. 48, Park Street.—Original rent Rs. 300, and it was standardized at Rs. 550. A little furniture was put in and it is now yielding Rs. 700 a month.

I also give you the following incidents of exorbitant sub-letting, which have come to my notice:—

House belonging to————was let for Rs. 550, and that gentleman has relet the upper and lower flat, which work out to Rs. 900 and Rs. 600, respectively.

Pretoria Street.—Tenant Mrs.————paying Rs. 400, sublets furnished at Rs. 1,000 per month.

I repeat with emphasis what I have said in the Statement of Objects and Reasons that there is no gainsaying the fact that the provisions of the Act have given considerable relief to the poorer section of the inhabitants of this great city. I would also emphasize the fact that

there are signs that if the Act were come to an end in the near future, a large number of a certain type of landlords will swoop down on their tenants with exorbitant demands. A Rent Act, until some landlords have learnt a lesson that they have a duty to the public, is as essential on the Statute Book as any of the provisions on the Statute Book, which have been found essential for the maintenance of law and order.

Greed is founded in the selfishness of man's nature, and the Government's duty is to protect its people from the rapacity of a number of landlords, who practically say: "You toil and work and earn bread and I will eat it." It is not necessary to go into the rights of property; the law which creates property can be defended only on the ground that it is a law beneficial to mankind. Let us try and reason out why the continuation of this Act is necessary. We find that according to the Census of 1911, the Christian population, including Europeans and Anglo-Indians in Calcutta and its suburbs, was 40,511 and in the Census taken in 1921 these figures read as 43,680, viz., an increase of 3,169, which this House will agree is a considerable increase when you take into consideration the small number of houses that Calcutta possesses for this class of people. I do not dilate on the dire poverty and necessity of the *bhadralog* class of the Indian community who need our help. The main reason why building has not been carried on to meet the increasing demand for houses, I think it will be readily granted, is that from the middle of 1920, and almost the whole of 1921, the price of building materials ruled very high and the price of land reaching the maximum remained stationary. It is not the Rent Act that is the cause of the housing accommodation being not equal to the demand at present; therefore, it is essential that the Act should be extended. At the present time the price of land shows a downward tendency, and I think the extension of this Act will be the means of landlords being more eager to sell their sites, otherwise it would mean holding for another three years without a possible chance of the value improving.

The price of building materials have now considerably decreased. The price of brick and iron has almost reached pre-war rates. Cement has also fallen in price and timber is just about the same as ever. These are the principal materials that are required for building, so you see that everything points to a more suitable condition for building operations and we may take it that within the next three years, the present condition will be much relieved, but until more accommodation comes along, the Rent Act should be renewed. People are forced to herd together like cattle, so that each may share in satisfying the greed of rapacious landlords; thus overcrowding must sooner or later result in ill-health to our population and perhaps in serious epidemics. Overcrowding is to be deprecated anywhere, but above all places on earth where this should not be permitted is in India.

I will now endeavour to deal with the evasions of the Act. Let me, in the first instance, try to show you how an injustice can be done and is done to the poor class, who cannot defend themselves. An individual who is working for Rs. 150 per month has rooms for which he or she pays Rs. 60 per month. The landlord raises the rent 25 per cent., he or she appeals to the Rent Controller; the landlord learns he or she is about to do this; he appears for an ejectment order. The poor individual has to attend two courts, pay lawyers, waste his or her time and probably loose his or her job. The result is that there are hundreds who agree to pay the extortionate increase rather than bear the heavy expense they will be put to with its accompanying loss of time and probably loss of employment.

Even after the Rent Controller has assessed the rent and been successful against the ejectment order the persecution in some cases still goes on until the poor tenant is now driven into desperation by the terrible harassment and persecution of ejectment orders, and monthly notices from solicitors, telling them they must quit. They find their only means of escape is to pay to this type of landlord "extortion money," which he accepts by private arrangements thus forcing money out of the poor and at the same time defrauding the Government of its legitimate revenue in income tax, as, mark you, a receipt is given for the amount of rent as ordered by the Rent Controller, and many of these poor people have to devise means of how to meet this extortion money. They often partition off a room which is already small enough into what may be termed a box and then sublet it, thus creating overcrowding, bringing on disease, ill-health, and possibly epidemics.

This may be called a clap-trap by some papers—a word that is generally used when they have not a logical reply to statements and facts. I now come to the Bill. I must keep in mind the fact that section 52(*l*) of the Rules and Standing Orders does not permit me to dilate too much on the details of the Bill, and very rightly so, for the details are to be settled by the Select Committee. What I am required to do, to-day, is to set forth the principles of my Bill and to invite a discussion upon them. Now what are my principles? In the first place, I want the present Act extended. That is the main thing. The Act must be extended. There is dire poverty among the middle and poorer classes of all communities in this great city. Some of us, who are born with the proverbial gilded spoon in our mouth, are apt to forget this fact. Some of us, who live in palatial residences, are apt to forget the conditions under which some of our poorer brethren live. Poorer but not less respectable than us. Apart from the conditions under which they live, these poor people need protection from Shylock landlords, who want more than their pound of flesh.

I hope I have said sufficient to satisfy this enlightened Council that a great necessity still exists for the continuance of the Rent Act. I

believe in Bombay, Madras, and Rangoon, the Rent Act has been extended, also in England. In none of these places do I think that the conditions are as bad as they are here. Should Calcutta lag behind—should Bengal, the most enlightened province of India, lag behind in showing mercy to their less fortunate brethren?

But experience has shown that the Rent Act, as it stands, will not do. There are many loopholes in the present Act as framed for its evasion. My next principle is to bring within the purview of the Act, the rapacious tenant or sub-landlord. There are some tenants who have outdone the rapacity of the landlord. There are a few, who can only be called "vampires." While they avail themselves of the Rent Act to protect themselves from their own landlords, they, in turn, suck the blood of their sub-tenants.

In regard to the latter principle, I have endeavoured to utilize and improve upon the English precedent, but I am quite agreeable to the adoption of any modifications that the Select Committee, with their fuller knowledge, might consider it advisable to adopt.

We must get at the tenant who sublets. We must also get at the person who sublets at a high rental and tries to cover himself by saying he has let it furnished.

I consider that the method suggested by me in clause 11 of my Bill is the fairest and most equitable way of dealing with the matter and I think it is based on sound reasoning.

There are a few other details I have attempted to tackle in my Bill, viz.—

(1) The reduction of the standard rent where it is based on a lucky rental on the 1st November, 1918—clause 4. There is much dissatisfaction among landlords about this. We want to get hold of a reasonable standard rent. That is the basic principle on which the Rent Act has been framed, and no landlord should be allowed to benefit by an unusual first letting.

(2) Power should be given to the landlord to recover his higher rent as soon as is reasonably possible. He should not be kept out of his dues—clause 5.

(3) In clauses 6 and 7, I have tried to meet the evils of flimsy ejectment proceedings on a desire to rebuild. I think there is a very fair case for action under this head.

A landlord may desire to make alterations in his property, although the tenant does not desire it. He may put a small verandah on to a room and charge 50 per cent. on the rental for this alteration, and there is nothing to prevent it in the Act. He states he has made an addition to the house.

I quote as an instance the case in which Mr. A. K. Bannerji applied on behalf of a tenant residing at No. 44A, Police Hospital Road, for standardization of rent. It was stated that just after the Rent Act came into force the tenant had the rent of the premises standardized at Rs. 44. Subsequently the landlord turned the verandah of each of the flats into a room and demanded Rs. 100 as rent per month.

Mr. PRESIDENT: Order, order! I have repeatedly asked hon'ble members not to cross between the Chair and the speaker. I shall be glad if they will make an attempt to observe this rule when entering the Council Chamber.

Mr. J. CAMPBELL FORRESTER: Mr. S. Laskar contended for the landlord that after the construction of the two rooms the house was let for the first time and, therefore, that rent should be regarded as the rent of first letting. The Rent Controller fixed the standard rent at Rs. 60.

I would have preferred that this Bill should have been taken up by the Government. My resolution to this effect was before the Council for two sessions. I despaired of it ever being reached and introduced this Bill as being the only means of getting the matter ventilated. I know that the Bill will not meet with the approval of the esteemed acting Chairman of the Calcutta Corporation, as it will interfere with the Calcutta Corporation revenue. I still remember his severe attacks against the Government at anything that affected the poor and helpless. I hope he has not lost that good trait of character. This matter is above revenue, a vastly more important matter, it is dealing with souls; and I would ask him before he makes his severe attack on me, as I learn he is going to do, is to remember the philosopher Chilo, who was reputed as one of the seven Sages of Greece, used to say that men of great bodily strength ought to be sweet in manners and disposition in order to inspire in others reverence rather than fear. Similarly, they who manifestly excel their fellows by reason of great intellectual or other gifts ought carefully to cultivate affability and sweetness of manner.

I deplore the necessity of extending this Act as much as any one; we all want to get rid of these Acts as soon as conditions will permit. We want to get back to sound economic conditions so that everyone can have a fair deal without Government interference. The time is not yet, and this Act must be extended until that time comes.

There are two philosophies of politics: one is you should attempt to play Providence, and the other is that you should let the Devil take the hindmost, and we are accustomed to associate the latter policy with the natural play of economic laws. As far as economic laws have their natural play, this is a situation in which, whatever our views may be, we all must compromise. Now, Sir, before sitting down I would ask this House not to forget that when we take on the responsibility of

representing the people, we do so upon the conditions that justice and mercy are the reins of power and the upward avenues of hope shall be free to all people. Your people are looking to you with hope. Let it not be said this House has disappointed them.

What are the Europeans, what are the Domiciled Community, what are the Indian population of Bengal going to think of India's new era, if under the new powers India has got, its legislators (who are returned by the votes of their constituents to look after their interests) are going to be indifferent to their cry for relief from this terrible burden that is making their lives so unhappy? I think the poor bear too tamely all the kow-towing; all the sweating and rack-renting. Let us think what all this rack-renting and sweating means—what it costs in men, women, and children—what it costs in brawn and brain. Ah! What it costs in human souls. We must conquer the greed and folly of Ego. If you sow tares, can you reap wheat? If you sow hate, can you reap love? The poet has truly said:—

> God's fruits of wisdom ripen slow,
> Man's minds are narrow, let them grow;
> My children! Ye must wait.

While there may be some persons, whose minds are narrow, I feel sure there is no member present here whose mind is so narrow as to ask his constituents to wait, and that time will remedy this deplorable condition. Sir, they cannot wait: They must have immediate relief, and I am sure that will be the opinion of this House.

The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN: My object in rising at this stage is not in any way to enlighten the House as to the policy to be adopted by Government on this Bill or on the question of the rent law of Calcutta, because that is the duty of my friend to the left. My object in rising is simply this. I introduced and passed the Rent Act of Calcutta which is still in force and which will remain in force till May next. Mr. Campbell Forrester's Bill proposes to introduce a new Act and to substitute it for the Act which will go out in May next. My request to the members of this House is this: to my landlord friends I would make an earnest appeal not to indulge in bickering of any kind or to show any anti-tenant feeling for we all know that a good landlord is always a pro-tenant man. To those that are going to voice the tenants' interests here I would earnestly request not to indulge in any high-falutin words, which are very often empty words, in trying to belittle the landlords or to vilify them. The main issue is that there is at the present moment a Rent Act in force in Calcutta; whether that Rent Act or another Rent Act should be continued until normal conditions prevail is the main issue, and my reason in rising is to earnestly request both sides to bear this in mind and to avoid as much as possible any unpleasant bickering on the subject.

Raja RESHEE CASE LAW: I rise to oppose strongly the second reading of the Calcutta Rent (Amendment) Bill. In the Statement of Objects and Reasons it is stated "a Rent Act, until the landlords have learnt their lesson, is as essential on the Statute Book as any of the provisions on the Statute Book which have been found essential for the maintenance of law and order." It is further stated "the landlords who build in a great city must be likened to a public utility company and his charges must be kept within reasonable bounds." The mover has a very strange idea of a "public utility" company. If we take the example of Germany we find—

The municipalities generally sell or let their land, and the building agencies which enjoy most official favour are the societies of "public utility." Some are co-operative others semi-philantropic in that they aim at building good houses and limit their profits.—*The Encyclopædia, Britannica, eleventh edition, Housing.*

Where has the hon'ble member in charge of the Bill found that the landlords of Calcutta are members of public utility societies and that they should conform to his wishes? Are they not in the same position as the mills and other industries, the traders, the money-lenders, and the members of the learned profession? If the former are allowed to make huge profits, why should the latter be deprived of the same? Government introduced the Rent Act for a limited period as a war measure, but circumstances have since changed considerably for the better as the supply of houses is greater than the demand. Kindly see the three columns advertisement in the *Statesman* for houses and flats to let. The Bill ignores the ordinary right of ownership, disregards the civic right of a citizen and sets at naught the law of supply and demand. It is impossible to conceive of more drastic and arbitrary provisions than those contained in the present Bill. The landlords are thankful for small mercies here and there, but from the quotations I have made above it will be seen that they are trembling in their houses at the threat that they should be placed under the surveillance of the Rent Controller who will keep them straight just as the police do in the case of criminals. They cannot but thank their stars for his good wishes. The hon'ble member in charge of the Bill thought that this will have the effect of intimidating the landlords and they will allow the tenants and sub-tenants to enjoy their houses without demur. He is greatly mistaken, my regret is that he has not formed a correct idea of ownership and of property before he ventured upon submitting this Bill. The landlords of Calcutta are nothing but owners of their own properties and when they build houses on their lands, they are as much entitled to see that the money they have invested should bring them a sufficient return. If anything should regulate their action, it should be the law of supply and demand and not any arbitrary law framed under the auspices of Government. Black sheep there are in every community, but it is not consistent with reason or with justice to condemn and punish the whole class for the faults of a few. All landlords

are not unscrupulous speculators and do not try to extort exorbitant rents. The Bill, however, allows the sub-tenant a profit of 35 per cent. in excess of the total rent which means that he will get 25 per cent. on the furniture and 10 per cent. on the rent. In other words, the tendency of the Bill is that the landlords should not be allowed even a profit of 6 per cent., which is the utmost they can expect on the money they have invested, whereas the sub-tenants will be allowed to earn 10 per cent. and live happily in the flats and houses and make a profit at their expense.

Again, what the Bill seeks to formulate may be stated briefly, that from November, 1918, when the Rent Act came into force to May, 1926, if this Act is unhappily extended, *i.e.*, for about eight years, the annual rental value of each premises must not increase by more than 10 per cent. A reference to the revision of assessment by the Corporation, which is made every six years and which in the case of some of the Wards has been recently made, would show that even where the Improvement Trust has not made any improvements, the annual values have been increased by more than 50 per cent. Under what justification the State would deprive the landlords from getting the benefit of this rise, and the Calcutta Corporation from getting their due share, one fails to understand.

The Bill is further objectionable as it makes the Rent Controller the arbiter of the fate of the landlords, and his decisions regarding rent, repairs, and compensation to tenants of flats and buildings should henceforth be regarded as the law of the realm notwithstanding anything contained in the Indian Contract Act and the Transfer of Property Act.

The Bill also tries to do away with the regular trial of suits which is most objectionable as anybody who knows the procedure adopted by the Rent Controller should not have suggested this because it is very summary and not at all satisfactory. The sooner the post of the Rent Controller is abolished the better it will be, as it will save the Government a lot of money of which the Government is so much in need.

It is not necessary at this stage to enter into a detailed consideration of the clauses of the Bill, suffice it to say, that the statements made by the hon'ble member in charge do not represent the correct state of facts. If there is a shortage of houses, it will not be removed by this legislation, and no landlord with a grain of common sense will ever resign his position as owner in order to make the Rent Controller the real *malik* and the tenants and sub-tenants to enjoy the profit. With these few words I move that the Bill be rejected.

Babu AMULYA DHONE ADDY: I am opposed to the motion which has been moved by our esteemed friend, Mr. Campbell Forrester, to refer the Calcutta Rent (Amendment) Bill to a Select Committee. It has

been stated in the Bill that there is a widespread desire to extend the Calcutta Rent Act, but I find from the statement of opinions that the contrary is the case. The House owners' Association is strongly opposed to it. It may be said that this is an Association of persons interested, but there are other public bodies who are opposed to it. The Bengal National Chamber of Commerce is opposed to it. It is a Chamber consisting of members interested in trade, commerce, and industry. The Marwari Association is also opposed to it. The Calcutta Corporation, which consists of representatives not only of the landlords of Calcutta but also of the tenants thereof, and which consists of the leading members of the Bengal Chamber of Commerce as well as the Calcutta Trades Association, is strongly opposed to it. Then the British Indian Association, I find, is also opposed to it, as also the Marwari Chamber of Commerce. Then I find Dr. S. C. Banerji, the President of the Tribunal, who has no landed interest in Calcutta, is also opposed. I also find Mr. Shrosbree, who has no landed interest in Calcutta, who is an expert, and who was the Chief Valuer of the Calcutta Improvement Trust, is strongly opposed to it. Thus, it appears that most of the leading men of Calcutta and most of the leading public bodies of Calcutta are strongly opposed to the extension of the Act. I find that the European Association supports it, but it consists of those gentlemen who generally form the tenants and who are vitally interested. But that Association has expressed its opinion to the effect that the removal of this Act would be an incentive to the construction of new buildings in Calcutta. Then the National Liberal League is opposed to it. But I find that the Bengal Chamber of Commerce, which consists of practical men of business and which consists of the leading inhabitants of Calcutta, has expressed itself to the effect that an inquiry should be made into the present circumstances, and unless and until an inquiry is made that Chamber cannot be expected to submit its opinion. This suggestion is a reasonable one. I think if it is desirable to pass this Bill, before that is done, a committee should be appointed by Government, representing the views of all sects and communities of Calcutta. The Marwari Trades Association is in favour of the Bill, but it has admitted that circumstances have materially altered since the year 1920.

It has been stated by Mr. Forrester that a landlord may be regarded as a public utility company. If that be the case, what about the Calcutta Tramways Company? Is it not a fact that that Company has increased its fares and that its rates are much higher than those in Bombay and Madras? Then take the case of the Calcutta Electric Supply Corporation. Has it not increased its rates by 30 per cent.? Has not the Bengal Telephone Company increased its rates by 75 per cent.? What has my esteemed friend, Mr. Campbell Forrester, done to reduce these rates? It may be said that electricity is a luxury, but it has become a necessity of life; and in a commercial town, which

Calcutta undoubtedly is, the telephone is also a necessity. It has been said that this Act will give relief to the poor. I beg to associate myself with this consideration for the poor, but I may be allowed to say that the English Act applies to holdings the rental of which is only £70 per annum which corresponds to about Rs. 80 per month. As a matter of fact I find that in 90 per cent. of the cases, applications are made for relief by persons, the rent of whose holdings is more than Rs. 50 per mensem. So, it appears that only the rich are being benefited thereby and not the poor as alleged.

My friend wants to give a lesson to the landlords of Calcutta. I think that he means the dishonest landlords and I am in full sympathy with him. There are dishonest landlords and there is not the slightest doubt about it, but is that the reason why honest landlords should be punished? There may be black sheep and there are black sheep in every herd, but what about the dishonest tenants of Calcutta? May I ask what steps are going to be taken to give a lesson to the dishonest tenants of Calcutta? Is it not a fact that some of the tenants, after taking a lease under written contracts with their landlords, sublet the rooms to others, realize the rent in full from them and when asked to pay the rent agreed upon, apply to the Rent Controller to fix the standard rent and reduce the rate of rent, and after, say, five or six months when the Rent Controller calls upon them to pay the rent, they go away. When the landlord after instituting a suit, gets a decree passed in his favour and goes to execute it, he finds only furniture which does not belong to the tenants but are hired. So I suggest that if any steps are taken to give a lesson to the dishonest landlords, some steps should also be taken to teach a lesson to the dishonest tenants of Calcutta.

What I object to is artificial control, whatever the object might be. I am strongly in favour of natural control because I am sure that artificial control has led and will lead to corruption. I have some experience of rice business. I find that when restrictions were imposed on the export of rice, the price was very high, but when the export was allowed the price came down. What is the reason? Because the area under cultivation has increased. Take the case of coal. There were restrictions on the supply of waggons for the transport of coal from the collieries to Calcutta and also on the export of coal; the price of coal was high but as soon as those restrictions were removed by Government the price came down at once. What is the reason? The proprietors of collieries were afraid of these restrictions and increased the raisings as soon as these restrictions were withdrawn. Now the supply is more than the demand with the natural result that price has gone down.

It will appear from Government reports that the rent of houses went up only 9 per cent. during the years 1913—17, whereas the price of coal during the same period went up by 163 per cent., kerosene oil 53 per cent., and sugar 88 per cent. Sugar may be a luxury but kerosene oil is a necessity. May I ask what steps were taken by Government to

reduce the price of kerosene oil? Absolutely none. Then as regards cloth, when the price went up materially although representation after representation were made to Government, no steps were taken. I am really sorry to say that Government were afraid of the Manchester Chamber of Commerce.

Mr. PRESIDENT: Order, order! We are not now discussing the derelictions of Government. We are discussing the merits of Mr. Campbell Forrester's Rent Bill.

Babu AMULYA DHONE ADDY: Thank you! I admit that there is an apprehension that as soon as the control is taken away, the rent will go up. I admit that it would go up, but it would last only for a few weeks or a few month, because as soon as this control is taken away, the landholders of Calcutta will erect additional buildings. The supply of buildings will be more and the rent will come down. That was the case in the matter of godowns. Godowns have been exempted from the operations of the Calcutta Rent Act and when there was a great congestion of goods in Calcutta, the rent of godowns was very high or rather prohibitive, but because there are no restrictions on the rent of godowns, the landlords of Calcutta erected a very large number of godowns in Calcutta. The result is that the supply is more than the demand and the rent of godowns has come down. I have some sad experience in the case of godowns in Chetla. Notwithstanding the fact that the export of rice has been resumed and notwithstanding the fact that the rice business has materially improved, most of the godowns at Chetla are vacant and they cannot be let out even after a reduction of 50 per cent. rent.

Mr. PRESIDENT: I do not quite follow that argument. I do not know whether you are proposing to suggest that people should go and occupy godowns instead of dwelling houses. I do not perceive the relevancy of that.

Babu AMULYA DHONE ADDY: Godowns are now excluded from the operations of the Calcutta Rent Act. It has been suggested in the Bill under discussion that even godowns should be included. I submit that the remedy will be worse than the disease. This question was gone into by a Committee in the year 1920 before the enactment of this law, a Committee which was appointed by Government, a Committee which consisted of 14 members, 9 of whom were Europeans, a Committee which consisted of only three landlords. Now let us see what is the opinion that has been expressed by this Committee. This Committee expressed the opinion to the effect that there was no necessity for the Rent Act and stated if it was enacted into law the result would be disastrous, and that it would interfere with the erection of buildings. I admit that a number of new buildings have since been erected but had there been

no Rent Act, the number of such buildings would have materially gone up. The remedies suggested are as follows:—

As regards the notice of quit, it is to be increased from 15 days to three months.

Then they suggest that the suburban areas should be developed. That is being done by the Calcutta Improvement Trust, of which I have the honour to be a member. They have developed Bhowanipore and Beltollah and opened out a number of roads and a large number of buildings have been erected. Some of them are still vacant.

As to the accommodation of the poor, I am very glad to inform you that the Calcutta Corporation has already taken the initiative in this matter.

Mr. PRESIDENT: You have reached your time-limit. You had better read the last sentence.

Babu AMULYA DHONE ADDY: What I beg to submit is that it would be a cruelty and an injustice to the landlords if this Act were extended, and that the remedy suggested by my friend would be worse than the disease.

Mr. R. H. L. LANGFORD JAMES: It is obvious from the number of public meetings that has been held and from the number of letters in the daily press that we are dealing with a subject of extreme interest to the public, and naturally so, for it affects every section of the community. To civilized man, a lodging, a roof over his head is a necessity, and if it can be shown that the number of houses available is, owing to the action of the landlords, not being placed at the disposal of the community at large, I think that it would be in no way outside the province of Government to step in and adjust the situation. With this object in view the present Rent Act was passed in 1920, and again, with this object in view, Mr. Campbell Forrester is introducing his Bill to carry on the present Act as amended by him. Now, are we satisfied that conditions are such as to justify legislation? The tenants, being tenants, say, "yes." The landlords, being landlords, equally of course, say, "no." The landlords maintain that there is no reason occasioned by any profiteering on their part for the continuance of legislation, although they readily admit delinquencies on the part of their own tenants subletting to other tenants. In my opinion, this Council, which must obviously keep an open mind in the matter, is not at present in possession of sufficient information to justify our saying, one way or the other, whether we consider that the Rent Act should be continued. Human nature being what it is, it is not inconceivable that we, even we, as legislators, may be inclined to view this question from the angle of vision either of a tenant or a landlord as the case may be. Obviously there is much to be said on both sides. The Bengal Chamber

of Commerce were, as Babu Amulya Dhone Addy said, consulted in this matter. We were asked to give our opinion to Government on the Bill and the proposal that we have made is that Government should be asked to appoint at once a small committee to report whether in the opinion of that committee the continuation of this legislation is necessary. We asked Government at the same time, in the event of the reply of that committee being in the affirmative, to pledge itself to introduce a Bill with the least possible delay, for it seems to us that it should not be left to a private member to introduce a Bill on a matter of such paramount interest to the community at large. I would, therefore suggest to Government that they should accept the proposition which has been put up by the Bengal Chamber of Commerce, and in the event of their agreeing to do so, I would ask Mr. Campbell Forrester to consider whether he will not consent to withdraw his Bill. He has told us that he has only introduced the Bill because Government took no action in the matter. That being so, I have little doubt that he may see his way to fall in with my suggestion.

Dr. PRAMATHANATH BANERJEA: In 1920, the situation in regard to building accommodation in Calcutta was this. For many years past, the expansion of the city had not kept pace with the needs of the population. Further, during the war, building operations had been reduced to a minimum owing to a variety of causes. To add to these difficulties, the destructive activities of the Improvement Trust created a further shortage in house accommodation. The cumulative effect of all these causes was that scarcity rents took the place of economic rents. And the evil was greatly aggravated by the fact that considerable landed property in Calcutta passed into the hands of a new class of landlords who, as the result of a "boom," having purchased such property at exceedingly high prices, demanded abnormally high rents from their tenants. These were the circumstances which led to the passing of the Rent Act, and its object, as set forth in the Statement of Objects and Reasons, was "to tide over the time" that must elapse before the supply of houses was equally to the demands.

Let us now consider the situation as it is at the present moment. The temporary conditions, namely, those created by the war and the artificial "boom" have disappeared, but the more permanent conditions still subsist to a considerable extent. The city of Calcutta is not expanding rapidly enough, and the demolishing operations of the Calcutta Improvement Trust have not yet ceased. The ultimate solution of the problem lies as we all know, in adjusting the supply of building accommodation to the demand for it. We must, therefore, so direct our efforts as to either increase the number of houses or to decrease the demand for them; I believe, we shall have to resort to both these remedies. The expansion of the city should be our primary concern. The establishment of co-operative building societies will also be a move in the right

direction. No step should be taken which may have the effect of discouraging the investment of capital in house property. It is also absolutely essential that the Improvement Trust should turn their attention to constructive efforts in the outlying parts of the city and in the suburbs. Destruction, it is true, is easier than construction; but whatever may have been the laches of this body in the past, let us hope that their future activities will be of a more beneficent character. The adoption of these measures is sure to result in greatly increasing the supply of houses. As regards a decrease in the future demand for houses, improvement in the sanitary condition of the neighbouring towns and villages and the development of facilities of communication will have a salutary effect in checking the movement of the population of Calcutta and this will be a boon both to this city and to the small towns and villages. It will help to relieve the congestion of the city and to stimulate the normal growth of rural life.

The question of building accommodation in Calcutta is thus intimately connected with the question of improvement of the surrounding districts. It is urgently necessary to lay down a comprehensive programme for this purpose. But the execution of such a programme will take time. In the meanwhile, some classes of the people will require temporary relief. The operation of economic laws may quite justifiably be interfered with in special circumstances. But the scope of such interference ought to be strictly limited. Protection is now claimed by two classes of the community—the one rich and the other poor. The former consists merely of European merchants and well-paid officials, and the other comprises the poorer section of the Indian community. It ought to be our attempt to do justice to all classes. The business maxim of the European merchants is to buy in the cheapest market and to sell in the dearest. Can they, with any show of reason, appeal to us to interfere with economic laws in order that they may be specially benefited? Nor have the officials who draw fat salaries any good grounds for complaint. It is not my intention to make a racial question of it here. But I do maintain that those who look at this question as at almost all other questions, from the standpoint of their own narrow self-interest, who come to this country as mere birds of passage and go back to their native land with their wings heavily laden with spoils, have no right to demand special treatment at our hands.

Mr. J. CAMPBELL FORRESTER: Is the gentleman in order in saying that the European merchants go home laden with spoils?

Mr. PRESIDENT: I am not prepared to judge on a question of taste. That must be left to the hon'ble member. I can only say that he does not seem to be out of order.

Dr. PRAMATHANATH BANERJEA: The poor occupiers of dwelling-houses, however, whose incomes are small and liabilities

heavy, do deserve the sympathy of the Council. I am of opinion that until normal conditions return, poor tenants ought to be protected. The English Acts, which showed the way to the introduction of the Calcutta Rent Act, were designed to protect poor people and their scope is limited. There is no reason why we should not follow the principles of those Acts in this respect.

The Bill before us does not indicate the way to a real solution of the problem. It has been introduced for the special benefit of a section of the community which does not require protection. It seeks to perpetuate many of the anomalies of the existing Act and to create new difficulties. I, therefore, feel bound to oppose the second reading of the Bill. But I shall deem it my duty to lend my support to any well-considered measure which may be brought forward to give protection to the poorer sections of the community.

Dr. JATINDRA NATH MOITRA: I rise to support the Bill of my friend, Mr. Campbell Forrester. It was only a few days ago that I came to hear of a European merchant residing in Chowringhee who was paying a rent of Rs. 800 per month, but who has already been threatened by his landlord that a sum of Rs. 3,300 will be asked from him if the Rent Act is withdrawn. Sir, I personally live in a rented house, so that the difficulties of a man living in a rented house are quite known to me.

Babu SURENDRA NATH MALLIK: May I rise to a point of order? Is the hon'ble member in order in perambulating while speaking?

Mr. PRESIDENT: Certainly the member should not perambulate. If Dr. Moitra were playing on a bagpipe he could perambulate (Laughter), but as he is addressing the Chair he should stand still while he is doing so.

Dr. JATINDRA NATH MOITRA: I bow to your decision, Sir. (Loud laughter.)

The relation that subsists between myself and my landlord is what is called a cordial one, but in spite of this cordiality of feeling and in spite of the existence of the Rent Act, my rent has been increased three times during the last three years. Simply because I did not like to dance attendance at the Rent Controller's Court, that was the reason why my landlord found it easy to increase my rent every year. Sir, with the universal trade depression and the post-war prices of the necessaries of life, poor people living in rented houses are already on the verge of ruin, and if the Council do not extend to them a helping hand, a horrible state of affairs is not far distant. Sir, I am a medical man, as all the members of the Council know, and I have opportunities of seeing the condition of life of the people in rented houses from a medical point of view. The Calcutta Improvement Trust, no doubt, aim at opening up squares and good roads, etc., to improve the health of the people, but the state of affairs now is that there is more overcrowding

in individual houses than it was ten years ago. There is another aspect of the question which affects the people of Bengal who observe the *purdah* system. We all know that our ladies who observe the *purdah* do not like to live in a house side by side with people whom they do not know much about, and to whose character they take exception. But they have got no means to prevent the occupation of those particular rooms in the house, or portions of the house by people with objectionable character so long as the landlord goes on extorting an exorbitant rate from them. I know of hundreds of instances where a very undesirable state of affairs is often brought about by tenants of the same house who are alien in religion, caste, and in other respects.

Not being placed in the fortunate position of a landlord, the reasons advanced by Raja Reshee Case Law and Babu Amulya Dhone Addy do not appeal to me. On the one hand we find landlords grumbling for not being able to put a halter round the necks of the poor tenants, and on the other we find respectable people—people of whom fortune has not showered her favours—having to stare in order to meet the landlords' rapacity. To whom will the tenants look for deliverance from this state of affairs, if not to this Legislative Council, the so-called representatives of Bengal? I pause for a reply. If the Rent Act is now withdrawn Government will have to reckon with overwhelming discontent, the consequences of which may be serious to the country. I appeal to the landlords and the Council members here not to do anything which will alienate the sympathy of their less fortunate brethren. I appeal to them to come to a better understanding and render mutual help.

With these words, I beg to support the Bill of my friend, Mr. Campbell Forrester.

Rai FANINDRALAL DE Bahadur: It is a well-known saying that one indulgence leads to another, one wrong leads to another, and one crime leads to another. The attempt of Mr. Campbell Forrester to rush in where angels fear to tread, is only an illustration of this principle. It would be hardly an exaggeration to say that the existing Rent Act is a departure from all known canons of political science. Such departure may be justified in exceptional circumstances and in exceptional cases and if undertaken after a careful preliminary examination; it is well-known that no examination worth the name was held before the present Act was launched into existence.

The Government of the day was stampeded into passing this legislation at the instance of whom? At the instance of those, some of whom were making fabulous fortunes in war profiteering and who are well able to hold their own against any class of landlords. It was certainly not undertaken for the benefit of the poor, it made no secret about it. It openly and unashamedly provided that the humble dwellers of our *bustees* and *kintals* might be turned adrift without any

ensation, without any provision as to where they might take
er, in order that these *bustees* might be turned into homes for the
That was the consideration shown to the poor, and what about
other poorer classes in the northern part of the city? Did the
ers of this legislation satisfy themselves whether these humble
would be able to protect their own interest? Were they provided
an easily accessible Tribunal and Committees which would dis-
of their cases without the expensive and lengthy formalities of the
Am I not right, therefore, in asserting that the Act was made
he benefit of the rich and not of the poor? We were not the only
try in the world which suffered owing to the war. We were not
only country in the world which suffered for the shortage of houses.
the Government point out to us any country in the world which
sought by legislation to restrict rent of even the humblest places
usiness or shops? Will the Government point out to us any coun-
n the world which has legislated any Act for the benefit of the
?

n London, whose wealth compared to that of Calcutta is like the
of the sun to that of the earth, they legislated only for dwelling
es with an annual rental of £75 which was subsequently raised to
). May I ask the Government what is the class of tenants in
utta that could be compared to the tenants in London who are pro-
ed by the law? They could only be compared to the tenants in
bustees and *kintals* to whom our law gave no protection. Were
Government aware, when they framed this legislation, of the pro-
ons of the English law? Were they aware that where the English
restricted rent, it also restricted the rate of interest on mortgages
prohibited the mortgages being realized? Will the Government
ain why the landlord was singled out as the sole victim? Why
the tenants of the biggest business places allowed to freely
iteer and to earn distinctions and decorations out of the money
ng from the poor, when the cost of the necessaries of life had risen
nearly 200 per cent. and while the Government itself was offering
e the rate of interest on their own securities? Will the Govern-
t be pleased to explain why the landlords were alone forced to main-
their rent at pre-war rates which would cover less than half the
of pre-war requisities and why the middle men were exempted, and
were these middle men? Were they not mostly tenants in Euro-
n quarters who were making huge profits out of the restrictions
posed on the landlords by the law? Am I not right, therefore, in
rting that legislation was undertaken for those special classes which
e always been able to squeeze as much as possible from the poor
to give as little as possible in return. I have referred to some of
wrongs which were inflicted on the landlords as a class
the thoughtlessness with which the present law was undertaken.

The Bill before us seeks to perpetuate all the evil features of the present Act, even to the extent of maintaining the Rent Controller's Court which has not escaped the common fate of dilatoriness and expenses which dog all our Courts.

It is possible that our brethren from the mufassal will not feel as we do; but I am sure they will be no parties to Leninism being introduced in Calcutta in a form unknown even in Europe, except probably in Russia. I would ask them to bear in mind that they have greater interests at stake in the mufassal than the special tenant class in Calcutta for whose benefit Mr. Campbell Forrester has introduced this Bill. On all these grounds, I ask the Council to reject the Bill.

Babu SURENDRA NATH MALLIK: I deeply regret that I cannot find my way to support the proposal of my hon'ble friend, Mr. Campbell Forrester, for extending the life of the present Rent Act for another six years or even three years. I am not one of those who are prepared to question the motive my hon'ble friend in bringing this motion before the House, for I do realize and I do believe that he has taken this responsibility upon himself only with a view to help the tenants because he thinks that help is necessary. Sir, to explain my position with regard to this legislation that is now before us, I have got to make a few observations. I must premise my remarks by saying that I have a dual capacity here; I shall speak both as Chairman of the Calcutta Corporation and also in my capacity as a private citizen of this great town.

As Chairman of the Calcutta Corporation, I shall be failing in my duty if I do not offer the strongest possible opposition to the legislation that is now proposed before us. Apart from the question of desirability, the incidence of this Act is so harmful to the interest of the city funds that it is my duty to offer nothing but the most unequivocal opposition to its proposed extension. The first and the most important reason for my doing the same is that the existence of section 26 of the Rent Act is a source of serious loss to the Corporation funds. This section compels us to assess houses not according to the reasonable rates—which we are entitled to do under section 151 of the Calcutta Municipal Act—but according to what is supposed to be the standardized rent, and this deprives the Corporation of its just dues to a great extent. I have also to tell you that another source of loss that arises on account of this—is that there are hundreds of instances—which we see almost every year—of unholy alliances between the landlord and the so-called tenant who bring about, between themselves, some sort of what you may call the settled rent, and the result of that unholy alliance or combination is that the Corporation is defrauded of its just due and between the landlord and the tenant they enjoy the benefit.

Mr. HUSEYN SHAHEED SUHRAWARDY: Under the Act?

Babu SURENDRA NATH MALLIK: Yes, under the Rent Act this goes on. As a matter of fact a far large amount is passing between them all the time, while the city funds have been legitimately defrauded of their just dues. Though we have the fullest knowledge we cannot do anything as our hands are paralyzed on account of the existence of section 26.

Then, I may say that the loss to the Corporation comes to somewhere about three to four lakhs of rupees a year.

Another reason why I object to the Bill on behalf of the Corporation is that there is a considerable amount of loss that the Corporation is suffering on account of the absence of building activities to an adequate extent owing to the existence of this Act. It has been said by many of my friends here and my countrymen outside that the Rent Act makes no difference and has not in the least affected the building activities of this great city and things of that kind. Sir, I am in this unfortunate position that I know a little more of the facts than many other men. I have been compelled to know them—and knowing them, I have not the least hesitation in saying that in the town of Calcutta, building activity is certainly not going on to that extent as it should be. The figures are, roughly speaking, that in 1919-20 there were 390 new houses—I am leaving out alterations to existing buildings; in 1920-21 there were 385; and in 1921-22, 485. No doubt there was an increase but this increase was due only to the fact that such a large number of houses had got to be dismantled owing to the operations of the Improvement Trust. It is a well-known fact that in spite of the number of plots of land on the miles and miles of new roadways made by the Corporation and the Improvement Trust jointly, most of the land is still lying vacant without any houses being built upon it, and that is a source of serious loss to the Corporation. It is obvious that houses have not been built on these vacant lands largely because landlords are very nervous.

Mr. HUSEYN SHAHEED SUHRAWARDY: Not at all. It may be about 20 per cent. of them.

Babu SURENDRA NATH MALLIK: My friend gets annoyed. He is a man who is the first to object to anything without knowing it. He is a man who knows no facts about this at all; he does not know how much land is lying vacant and to what extent the Corporation is suffering. All these facts are not known to him. He does not know what is the total number of applications for new premises we have received; all these facts are not known to him and he shouts and objects.

There are, however, few landlords, I admit, of the more hopeful type who have built houses, but by far the larger number dread the provisions of the Act and they harbour a feeling of distrust and anxiety

because they know that the higest officials of Government are tenants. From the circumstances I have mentioned, the conclusion is irresistible that people are anxious to buy lands, though not to the same extent as before, as land-value is going down in Calcutta. Though my friends may not know it, it is a fact that there are far less houses being put up than there are vacant lands. We are losing in two opposite ways. It is indeed a very serious loss in the remission of rates to the extent of 75 per cent. on a lower and purely rental assessment of the vacant lands on the one hand, and on the other, it has compelled the Corporation to go on spending a very large amount of money for looking after all the municipal amenities, without there being an adequate return for them. Between these two sources of loss we are losing about two or three lakhs of rupees. There is another source from which there is serious loss of our revenues and that is from our markets—one of the institutions, of which the Corporation is proud which helps to keep down the rates—and there we find that we are losing nothing less than to the extent of about 2 lakhs of rupees owing to the existence of the Act.

Then, again, I would draw attention to another point—these are points which may not occur to my friends as they are not concerned with them—and that is the question of assessment. Under the law the assessment is made for six years. During the last three years, half of Calcutta has been assessed and in that we have lost on account of the standardized rent and in not being allowed to assess the reasonable rent under section 151 of the Calcutta Municipal Act. If this Act is extended for another three years then the result will be that we shall have to suffer for those three years, as well as for such time of the next six years during which the standardized rent will remain in force. This is a very serious problem to the Corporation and this is a question which those who are in charge of legislation, and the Hon'ble the Minister for Local Self-Government ought to consider; for I can asure this House that you cannot, with impunity, overlook the necessity for helping the city funds to grow. And if you do all these things, what will then be the result? We shall be forced to raise the rates, and there is no question about that. With all the commitments that we have, viz., the huge expenditure for water-works, the threatened expenditure on the Bidyadhari (although we are not at fault but it is the Government's fault), and which we are already incurring, if you add anything to them, by way of extending this Act for any number of years, then the irresistible conclusion is that the rates must be raised and all the efforts of the Commissioners of the Corporation made to keep the rates down as low as possible will be of no avail.

There is another point in connection with the matter and that is, on whom this increment will fall with the greatest hardship? Is it on the rich or on the poor? A large percentage of the people live in huts,

amongst the rest about 80 per cent. pay rents not exceeding Rs. 40 per month. These are the people about whom it is difficult to cite even a stray instance, and from the inquiries Mr. Campbell Forrester has made in this direction he has not been able to find out whether these people have to do anything with the Rent Act. These are the people who will be the hardest hit, if in place of our present rate, viz., 19½ per cent. we are compelled to raise it to 21 per cent. or even higher. These are the points we should consider. Are you going to help the poorer section of Calcutta—or is it because a demand is made without understanding the situation thoroughly and without going into these economical questions, if you jump up and say: extend the Act—will you not be hurting those very poor people whose interests you profess so much to safeguard? Then only one word about accommodation. I do not want to say that the accommodation is all that it should be or that there is no accommodation; I leave that to the House to decide. I have got some figures (I do not know whether I shall have the time to go into them), which are accurate for all practical purposes. From the Corporation records it appears that the number of vacant houses for which we have got notice (there are in fact more vacant houses than we get notice of) in the third quarter of 1920-21 was 1,411, in the third quarter 1921-22, 1,559, and in the third quarter of 1922-23 2,261. The number of vacant houses has steadily increased in the last two years from 1,411 to 2,261 and I leave it to the members to draw their own conclusion.

It is for all these reasons and others, too many to be mentioned now, that I have got to strongly oppose any extension of the Act.

Now, Sir, I address myself to the question from the point of view of an ordinary citizen of this great town. I must preface my remarks by saying that I am not a landlord as I live in my father's house without paying any rent to anybody. Therefore, my position is to a certain extent the position of a tax-payer. From that position I can quite realize that so far as the landlords are concerned, there is considerable force in some of their contentions, namely, that this Act is meant to penalise only the landlords; it is unjust and inequitous. Why, of all men, penalise one section of the community? If the purchasing power of the rupee has gone down, it has gone down for the landlords as well as for the tenants. If the prices of articles have gone up of late, the landlord has to pay higher prices as has the tenant. The butcher, the milkman, the *modi*—every one wants higher rates both from the landlords and the tenants as well. Public utility companies are charging higher rates every day. If the landlord has got to submit to these higher rates, what fairness is this on the part of any body to say that, of all persons, it is the landlord who should be bound over never to charge more? Doctor's fees have become double. I am a lawyer myself and know that lawyer's fees have become fourfold. Other professional men, such as Engineers, Consulting Engineers, etc., are

asking for double fees or more. Profiteering is going on all over the country in every direction. Is it the poor landlord that has got to be bound over only because he has invested more money and his only fault is that he had invested money to help townsmen in getting some sort of shelter?

[Here the member reached the time-limit, but was allowed to conclude his speech.]

One minute more and I am done. I must say that looking at the question from the tenant's point of view there are some landlords with mischievous propensities against whom the poorer section require some protection. (Hear, hear.) There are men amongst the landlords who treat their tenants in a perfectly heartless way and these things have got to be put an end to. What I humbly submit is that this Act as it is proposed cannot be accepted. Have a Committee by all means. Ask the Government to appoint a Committee—a truly representative one—to go over the town, to inquire from the richest landlords and the poorest tenants, to inquire from our Corporation records, to inquire from other public bodies as to what is the real state of things and what would be a satisfactory legislation in Calcutta as between landlord and tenant. No jerky legislation, no panicky legislation, would be of any avail. It will only go to make the relations between landlord and tenant worse and worse. I, therefore, oppose this Bill, as I am perfectly sure that it will serve no useful purpose.

[At this stage (4-50 P.M.) the Hon'ble the President left the Chair.]

Babu DEBI PROSAD KHAITAN: Not having a written speech in my hand, I do not propose to inflict a lengthy harangue on the House. After what Mr. Langford James has already proposed it is not necessary for me to deliver a lengthy speech The Hon'ble the Maharajadhiraja Bahadur of Burdwan, in introducing the present Act in the old Legislative Council, said that extraordinary circumstances required extraordinary remedies. The Government at that time thought that the circumstances in Calcutta were of such an extraordinary nature that an extraordinary remedy in the shape of the present Rent Act was required to protect the tenants from the greed of the landlords.

The question that has now to be seriously considered is this: whether the extraordinary circumstances that prevailed in 1920 still prevail, or whether there has been any alteration in those conditions. If there has been any alteration, the present Rent Act also requires alteration. The second consideration is whether a measure of this kind is necessary in the present state of the country, and whether the present Act has in any way helped the discontinuance of the conditions that existed in the year 1920. Sir, if any encroachment is to be made upon the ordinary law of supply and demand, it is the duty of the legislators

to see that such legislation is passed as helps and not hinders the disappearance of those extraordinary circumstances requiring extraordinary remedies. The Government have got to see that no element is introduced into the present conditions whereby extraordinary remedies are prolonged.

Figures have been given to us by the Chairman of the Calcutta Corporation from which it appears that the number of vacant houses in Calcutta is about 50 per cent. larger now than they were in 1920. The Rent Act, so far as the mentality of the landlords is concerned, has, to no small extent, hindered the erection of new houses in Calcutta. The operations of the Calcutta Improvement Trust as well as of the Calcutta Corporation have also contributed largely against the erection of new houses. In these circumstances it is very necessary that the Government should undertake the responsibility and inquire fully into the matter as has been suggested by Mr. Langford James, and I hope that Mr. Campbell Forrester will withdraw his present Bill and allow Government to appoint a committee to go fully into the matter and to bring before this House such proposals as may be necessary to do justice both to the landlords and the tenants of Calcutta.

Maulvi YAKUINUDDIN AHMED: I come from the mufassal. I have not had that sad experience as my friend Dr Moitra who has stated that in spite of the cordial relations between him and his landlord, the rent of his house is increasing every year. But I have this experience that whenever I tried to rent a house, I found that the rent was so prohibitive and there were so many candidates for the house that it was impossible for a man to secure a house; it was just like bidding at an auction, there was one candidate in the morning offering a certain rent and another in the evening offering a higher rent, and in this way the best the landlord could do was to consider the highest offer made. I do not think it is the fault of the landlord if he considers the highest bid, but it is the fault of the moneyed man who flock to Calcutta from the mufassal and offer the highest bid for the house. My friend, the Chairman of the Calcutta Corporation, has given you the figures in respect of the vacant houses, but he has not stated the number of people who live in rented houses. Therefore, I am afraid, the special knowledge of my learned friend, the Chairman of the Corporation, does not hold water in this august Assembly I say that no sooner a house is vacant, it is occupied by another person who offers to pay a higher rent. I think that in this city of Calcutta, if statistics are taken, the percentage of landlords would not be more than 10 and the percentage of the persons who rent houses from the landlords would be 90 or over. If that be so, the commonest principle of political economy that the greatest good to the greatest number should prevail in regard to legislation as in every other matter. It is not for the benefit of the smallest number of landlords that this city of Calcutta has been built; it is for the benefit

of the people who inhabit this great city. It is their comfort and convenience that every legislation should look to. It is very bad on the part of the Chairman of the Corporation to insinuate that the highest officials of Government live in rented houses. But do you know that the highest officials of Government pay higher rents than even the richest men of this land could pay? They have an idea of comforts which urges them to pay higher rent. I think it is a very sorry insinuation on the part of the Chairman of the Corporation. He then says that there will be a loss to the Corporation if these rents are standardized. Well, let that be, if it be for the good to the greatest number. Then, as regards the percentage of taxes, the Chairman says it is only 19½ per cent. But we should not overlook the fact that in the new Bill the percentage is proposed to be raised to 25 per cent. [A Voice: No; up to 23 per cent.] Therefore, this threat put forward by the Chairman of the Corporation that the taxes should be raised from the poorest of the poor does not hold good. Then it has been stated that the erection of new buildings has been slow and slack on account of this Rent Act. But I can assure you, Sir, that palatial buildings are being erected in almost every street. We cannot disbelieve our own eyes and believe the Chairman of the Corporation. We know that building operations are going on much quicker and at a more accelerated speed than before. Then it is said that the markets belonging to the Corporation would suffer a loss. But I beg to submit that the markets are all let out to tenants and it is the tenants who shop in those markets. Therefore, if the Rent Act is favourable to the tenants, it would certainly be favourable to the markets also. Then the Chairman says that his father left a house, and he is living in it. May I inquire of the Chairman how many wings he has since added to the house, how many storeys he has since erected upon it and to how many tenants he has let out some at least of those extended portions?

It has been suggested that a committee ought to be appointed in order to inquire into the matter. But we know that committees are only for the purpose of shelving a matter. Whenever a committee is appointed, it goes on deliberating from year to year and submits its report about four or five years after when everything is forgotten. Therefore, I heartily support Mr. Campbell Forrester's proposal to refer the Bill to Select Committee with instructions to submit their report in time for its consideration during the present session of the Council.

Babu JOGENDRA NATH ROY: I rise to oppose the introduction of the Bill.

No case has been made out for the introduction of the Bill and the reasons adduced for its introduction are hardly worth considering.

The Rent Act was eminently enacted to meet an unnatural state of affairs resulting from the effects of the war. The war, Sir, had brought large sums of money to a section of the inhabitants of Calcutta who

speculated in land and brought about a boom. The value of land increased and as the result of the war, the value of some of the materials rose. Sme of these new landlords who sprang up like mushrooms raised the rents of their houses and the Bill was introduced to meet this unnatural situation.

But my friend, who has now lightened the task of the Government by taking upon his broad shoulders the work of asking the Council to extend the time of the Act, has not supplied the Council with any statistics to show if it has in any way brought relief to the poorer sections of the tenants of Calcutta How many tenants have sought relief and how many have got it? A reference to the statistics of cases filed in the Rent Controller's Court shows that over 90 per cent. of the cases filed are by tenants who pay more than Rs. 50 per month Thus, Sir, it is clear that really poor tenants have practically derived no benefit from the Act, while those who can afford to pay more, those whose fat salaries have been increased 40 or 50 per cent., and those who have made profits of over 100 per cent. have deprived the landlords of their dues.

We are aware how the value of Calcutta land has depreciated and the value of materials come down considerably. New buildings are on the increase, and but for this Act, and the eagerness of the unscrupulous tenants to take full advantage of any loophole provided by it, the number of new buildings would have been still more. The increase in new buildings has brought down rents and a glance at the "To Let" column of any morning paper would convince this Council that the number of buildings, perhaps, exceeds the demand.

We are all aware how even public utility services have been compelled to increase their rates during the past four or five years The tramways, the telephone, the railways have increased their rates and even the postage rates have been increased by 50 per cent. But poor landlords of Calcutta must not expect an increase of more than 10 per cent. It may here be noted that as a rule the landlords of Calcutta do not get a return of more than 5 per cent. on their outlay and it is more profitable to invest in Government paper.

The increase of 10 per cent. is not in keeping with the assessments made by the Corporation It only seeks to penalize the landlords without any justification and puts an artificial check on the building of houses in the city. Does any one think of controlling the prices of food-grains and cloth which have gone up? Was there not an opposition in the Council and outside it when control was established on rice which has now been removed? Why, then, make an exception in the case of buildings?

The Rent Act has passed its period of usefulness and the Bill should be rejected by the Council.

We have heard much of an agitation for the retention of this measure. We know, Sir, how such agitations are often bolstered up by interested

persons. The Council should not succumb to the influence of outside agitation but look at the matter with its full sense of responsibility not only to the tenants but also to the landlords whose importance in the body politic cannot be gainsaid.

With these words, Sir, I oppose the Bill.

Mr. SYED NASIM ALI: At the outset I may say that I am neither a landlord nor a tenant, and my idea is that in a legislation like this justice ought to be done to both parties. At the same time I may say that the very fact that the landlords in a body want that the Act should not be extended, while the tenants in a body want that the Rent Act should be extended, this fact brings out most prominently the necessity of a legislation in order to do complete justice both to the landlords as well as the tenants. I have found that in this Council opposition has come mainly from the landlords and the *quasi*-landlord—I mean the Corporation of Calcutta. I have characterized the Corporation of Calcutta as the *quasi*-landlord because the Chairman has complained that the Corporation is suffering on account of the fact that the Corporation is not in a position to assess at the highest possible rate. So far as facts and figures are concerned, the Chairman of the Corporation has cited certain figures to show that there are a large number of vacant houses. Unfortunately, the Chairman has not informed us how many of these houses are new and how many old, because we all know that the Rent Act did not apply to new buildings. At the same time the Chairman has not also informed us as to the cause of these houses being vacant. Now what are the causes for these houses being left vacant? My idea is that perhaps most of them are new buildings and because the landlords demand an exorbitant rate of rent; therefore, these houses are vacant. The Rent Act does not apply to new buildings; therefore, the landlords are in a position to demand any amount of rent they like for these new buildings. Unfortunately, the Chairman has not enlightened us on this point. One most important argument has been advanced, namely, that it is against all sound principles of justice and equity that the private rights of a particular class of people will be encroached upon. That is the argument which has been put forward on behalf of the landlord. Raja Reshee Case Law and Babu Amulya Dhone Addy are most influential zamindars in Bengal. I think that the zamindars in Bengal are not unfamiliar with similar encroachments. What about the Bengal Tenancy Act? Under section 29 of that Act the rent of an occupancy raiyat cannot be enhanced by more than two annas in a rupee in spite of the registered contract. The law says that the contract would be void——

Raja RESHEE CASE LAW: The analogy does not hold good.

Mr. SYED NASIM ALI: So the zamindars of Bengal are well acquainted with this principle that in some cases in order to give relief

to the poor, in order to give relief to the majority, the rights of a few and the rich have been encroached upon not only three years, but a century, ago. This is the principle which has been accepted in Bengal and the zamindars all know this. It is not a new principle which has been introduced into Calcutta by the legislation of 1920. My idea is that the poor must be protected against the rich. The Chairman of the Calcutta Corporation has said that the poor must be protected, but that is not the way in which they should be protected. Unfortunately, he has not made any suggestion as to how they should be protected. There is no constructive programme before the House put forward by the Chairman which would really protect the poorer classes of the people in Calcutta. If we look at things from a broad standpoint, what do we find? We find that as soon as the land boom in Calcutta came into operation, people began to secure property at enormous values and in order to get an outturn for their investment they began to demand exorbitant rents. Are the landlords justified in saying that on account of this mad speculation, on account of certain special contingencies, and special circumstances, this unearned increment should go to the rich only and the poor could not get any share of it?

[At this stage the Hon'ble the President returned to the Chair.]

The value of land increased on account of certain contingencies which were not created by the landlord and over which the landlord had no control. The value of property increased automatically. Is it fair, is it just, that the landlord, without investing a single pice for enhancing the value of the land, should get the whole unearned increment? Should not this unearned increment be distributed between the landlords and tenants? There is no law by which this increment should not have been divided between landlords and tenants, and the only way of giving them a share was to protect them from being harassed by the demand of an exorbitant rate of rent.

From this aspect of the case also it is fair and just that this unearned increment of rent, or rather in the value of the land, should be apportioned justly, and the landlord should not be allowed to benefit solely by this land boom or by this mad speculation for securing property at enormous prices. It further appears that the Chairman of the Calcutta Corporation is of opinion that new buildings have not been erected in view of the operation of the Rent Act. I fail to understand his argument. The Rent Act did not apply to new buildings. If the Rent Act did not apply to new buildings, what prevented the landlords from erecting them? The fact is that landlords are not erecting new buildings as they used to do in previous years. But it is also the fact that the Rent Act does not apply to new buildings. Therefore, what is the conclusion? Does the one affect the other? The conclusion is that there are other circumstances which have prevented the landlords from building new houses; these are the high prices of materials, the price

of bricks and mortar and other building materials have gone up enormously high, and it is these things that have prevented landlords from making further investments, because they find they cannot get a sufficient return for their outlay. This explains as to why new buildings have not been constructed as they used to be under normal circumstances. My idea is that the abnormal circumstances have not yet disappeared, and so long as things do not return to the normal, so long as speculation goes on, so long as we cannot have that state of things which prevailed before the war, some emergency legislation is necessary. Therefore, the Act ought to be extended; but what are to be the safeguards for the interests of the landlords is a different question altogether. If it is found that the landlords are not getting a sufficient return for their investments, then the Act can be modified, but that is a different question altogether. The main issue is that the Act must be extended.

Then there is another question—as to what extent protection ought to be given; whether or not the tenants should pay a certain amount of rent; that is a matter of detail; at the present stage we are simply discussing the principle whether the Act should be extended. My own opinion is that the Act should be extended, but if there are difficulties in the way of the landlords, if there are cases of manifest injustice which have occurred since the passing of the Act, sufficient safeguards can be provided.

With these words, I support the motion of Mr. Campbell Forrester.

Rai JOGENDRA CHUNDER GHOSE Bahadur: I beg to oppose the introduction of this Bill.

Mr. PRESIDENT: The Bill has already been introduced, Rai Bahadur; the motion before the House is to refer the Bill to a Select Committee.

Rai JOGENDRA CHUNDER GHOSE Bahadur: Then I beg to oppose that this Bill should be referred to the Select Committee. I am neither a landlord nor a tenant, therefore, I am in a position to consider this question impartially. It is admitted by the greatest admirers of this measure that it can be justified only for a short time. A restraint upon freedom of contract is opposed to all principles of law, and must be invalid in a court of law. I wonder how lawyer-members here could glibly say that this is not a new thing. They could not say that in a court of law. Extraordinary measures are sometimes necessary in a time of war or turmoil, but in times of peace and order such a thing is not possible; it cannot be done. It is possible indeed for a majority of selfish, fanatical revolutionaries in a Parliament to impose any law confiscating property and establishing equality and fraternity and liberty by bringing down the richest to the level of the poorest in a society at the expense of the community, but their triumph in history has always been short lived. But as yet I have not seen or read of any socialist

or anarchist preaching that rented houses should be occupied by the houseless poor without any rent or at a rent disportionate to the cost of the building. Now let us see what are the actual conditions of Calcutta? Anybody who has read the note by Mr. Shroshree, the land surveyor, which has been circulated to every member of this House, will have no doubt in his mind that the circumstances of Calcutta are such that the Act can no longer be extended. Twenty-five per cent. of the houses in the south of Calcutta are vacant, and do you know the reason, why? Because the landlords are apprehensive of letting their houses at a low rent; if the houses are let at low rent, the rent cannot in future be increased; thus it is that house rents have remained high notwithstanding the fact that such a large number of houses are vacant, and a large number of houses are being built.

I believe that the supply will soon exceed the demand. I know as a matter of fact, several gentlemen have made applications to erect new buildings, but if this extension is allowed, they will think twice before building those houses. The extension of this Act will neither benefit the landlord nor the tenant. Be sure of that fact, because this Act cannot be extended for an indefinite period by any civilized Government. It must be for a certain period. If on account of the Act, landlords do not build and there be less houses, then tenants' rents must be extravagant as soon as the Act is withdrawn. That being so, ultimately the tenant will suffer. Therefore, I say there is no justification whatsoever for extending the Act. Now even in the British Parliament, where at present the socialists are a very strong factor, are they going to abolish the Rent Act. In America even during the war such a measure was not enacted. How is it that Britishers here in India want to force that law upon us which they would not even dare to do in their own country? So far, I have been speaking as if on behalf of the landlord, but I am not unmindful of the poor. I know the fact that tens of thousands of the poor people—coolies and labourers of all descriptions—are huddled together in small rooms and huts and thousands of them have to sleep in the open in the night. But who thinks of them? The sorrows of highly paid or of the moderately rich tenants of good houses are, like the sorrows of Werther, great indeed! But the sorrows of the poor are real. Sir, standing here as I do, I shall not be fit to be called a representative of the people if I were not mindful of the sorrows and the troubles of the poor *bhadralok* class and of the poorer labouring classes. Who cares for them? The remedy is simple. Their crying need is met not by extending this Act but by the extension and the development of the suburbs, by building new houses, extending tramways and making the fares cheap for the labourers. That is the only way. Instead of doing that you are going to do things which will lead to nothing but disaster. The movers of these resolutions are concerned with the rich who want to occupy buildings—palatial buildings—on land costing Rs. 10,000 per cottah. What have I to do with them? They

are quite able to take care of themselves. Are they thinking of the poor? Let them put their hands on their hearts and say so. I therefore say there is no force in their arguments. This Bill ought to be thrown out.

Mr. KRISHNA CHANDRA RAY CHAUDHURI: Sir, I have not a set written speech to deliver. I came to the Council more to listen than to speak. Sir, I must confess that I have listened to some very amusing speeches—speeches delivered in support of the claims of landlords and super-landlords. The super-landlord—I may claim my hon'ble friend, Babu Surendra Nath Mallik as one—I mean the head of the Calcutta Corporation no doubt in his official capacity, is anxious to obtain some money for the Corporation in order to indulge in fancy schemes. No doubt he is anxious to impose super-tax—not ordinary tax—which will ultimately come from the tenants, as the landlords, whom he wants to protect, are not going to pay from their own pockets, but will take the money from the tenants. Therefore, he would not have any control over the rents because in that case he cannot tax them.

There is another argument which has been advanced and that is about the law of supply and demand, but will the landlords ever allow this natural law to be enforced? Is it not the fact that the whole town of Calcutta is the property of a few rich people? They will take jolly good care that this law of supply and demand is not given full play. My hon'ble friend, the super-landlord—I am not referring to Mr. Mallik in a disparaging sense—has produced certain facts and figures. We, who cannot command a staff to prepare facts and figures, have got to look to newspapers for such, and I have read in the newspapers that the New Market of Calcutta is paying 30 per cent. upon the original investment and Mr. Mallik thinks it is not enough and he would have more.

Coming to the theory of landlordism, does it never strike us that the air is free and the water is free and that lands should also be free to everybody? It is in India where the feudal system prevailed that it is never recognized. We should have definite rights over land. Under the Bengal Tenancy Act, there is no sanctity of contract between the landlord and the tenant which Rai Jogendra Chunder Ghose Bahadur thinks should not be interfered with by any civilized Government, but the British Government has intervened and rightly intervened under the Bengal Tenancy Act in this matter.

Raja Reshee Case Law has said that in this matter the landlord should be treated as ordinary businessmen and that their contract should be treated as ordinary business propositions. But might I remind him that the ordinary businessmen face the ordinary ups and downs of business, while the landlords never do so in any civilized part of the world. Their investments in the city are as safe as investments in consols. The prices of land go up automatically and the landlords

look into the future for an increase in land value for their sons and grandsons who will earn the benefit without doing any honest work. That is the aim of the landlords and that is why they are opposed to this measure. I have great pleasure in according whole-hearted support to Mr. Forrester's motion for an extension of the Calcutta Rent Act.

Mr. F. E. E. VILLIERS: I would wish to say a few words in support of the extremely sensible and practical suggestion which has been put forward by my friend, Mr. Langford James. We all know—we have been told it by speakers of all shades of opinion—that there is a tremendous lot to be said on both sides. But I hold, Sir, that so long as we are sitting in this House we are neither landlords nor tenants, but are here for the good of the community and for the good of Bengal, and the measure of our honesty and disinterestedness should be the measure of our willingness to face an honest and impartial inquiry into the situation.

We have heard, as I have said, a good deal on both sides. We have heard Rai Jogendra Chunder Ghose Bahadur relate the horrible story of ten thousand men huddled together in one hut, and I can visualise nothing can be more insanitary than that! We have heard Dr. Jekyl—I mean Mr. Mallik in his dual capacity as the Chairman of the Corporation and as a private citizen—telling us equally horrible things. We have also heard the grievances of the tenants. Sir, there is a saying in England to the effect that "we often complain of the darkness of the day when the grime is on our own windows." It seems that there is a certain amount of grime on the windows of both landlords and tenants—grime a good deal of which a fair and impartial inquiry would wipe away. Therefore, it is that I urge on my friends to have done with words and talk and accord our full measure of support to Mr. Langford James's suggestions and ask Mr. Campbell Forrester to withdraw his Bill, given the definite and specific undertaking by Government that the existing Rent Act will not be allowed to lapse until such time as the proposed committee have held their inquiry and come to their decision and until that decision has been placed before the Council and the public. I would therefore suggest that instead of further words we should ask Mr. Forrester to fall in with this suggestion. If we are honestly here for the purpose of effecting legislation for the good of Bengal and of Calcutta, if we are sincere and disinterested, if we have the good of the community at heart, there is not one man here—landlord or tenant—who can gainsay the advantages of a fair and impartial investigation of the question.

Mr. H. BARTON: I am prepared to support the suggestion of Mr. Langford James provided the report of the committee is considered during the present session of the Council. If that assurance is given, I do not see why Mr. Forrester should object to withdraw his Bill. If

however, it is not possible, then we must press for the motion of Mr. Forrester for a reference of his Bill to a Select Committee. Sir, we have had argument advanced for and against the continuance of this Rent Act. During the time it has been in operation we have had opportunities of satisfying ourselves whether it has operated fairly on both the tenants and landlords. If the figures that were given the other day in the *Statesman* are correct, it would seem to me that both sides have been fairly treated except that in the number of cases which have come up before the Rent Court the landlords appear to have had the majority decided in their favour. Another thing which these decisions have brought about is the fact that the underlying desire of the landlord to go to the extent of forcing the decisions of the Rent Court is to get more rent at any cost. We all agree that there are landlords and landlords. If as we have been made to understand the majority of landlords are those with high principles then we take it that those high principled persons never intend to do anything which will occasion any offence or fault-finding by the tenants. If this is the case, why should they fear the introduction of any Act? It is only the man who breaks the law who fears the law. If these high principled landlords act up to their principles why should they fear the introduction of the Rent Act? Babu Surendra Nath Mallik himself has given testimony to the unscrupulousness of landlords which, I support, is from his personal experience and from what has come before him as Chairman of the Calcutta Corporation and the character he gives them compels us to doubt these high principles which landlords claim for themselves. If a landlord, as he tells us, could be so unscrupulous as to deliberately connive with his tenant to cheat the Corporation, then I do not think he will hesitate much to cheat a tenant. We have been told that buildings have not been erected during the operation of this Act because landlords felt that they would not be able to recover their outlay. Any one who goes through Calcutta with his eyes open cannot deny the fact that buildngs are springing up everywhere. We have the statement of one of the most prominent landlords of Calcutta that in his opinion within the next 12 months conditions will become normal and that house rent will fall. I understand landlords have a very powerful combination and association. If the statement given by this prominent landlord is correct, what is to prevent this powerful combination of landlords from giving an assurance on their part that they can guarantee that within the next 12 months rent will come down? If they give us that assurance and if they will undertake to have the unscrupulous landlords brought to book they will be serving both their interests and the interests of the people. Now we are told that there are 2,261 houses lying vacant at the present moment in Callcutta. We would have been helped considerably if Mr. Mallik had told us where these houses are situated—[Babu SURENDRA NATH MALLIK: In Calcutta, of course]—and what their rents are. Of course they are situated in Calcutta,

but we should like to have known the locality so that we might know the reason why they are lying vacant. The reason is simply this that the rents are so prohibitive that people prefer sharing houses of lesser rents at great inconvenience rather than pay rents demanded by the owners of these 2,261 houses. I do not see why there should be any objection to having the Rent Act renewed. It has served the purpose of both the landlord and the tenant. There is another factor about it that although it has been in operation, a certain class of landlords has resorted to most unscrupulous methods of harassment and terrorism of the worst kind. They often apply these methods very largely even to helpless women who have not got the time or the means or who have got nobody to defend them. If they are not willing to pay a larger rent some excuse is brought forward by the landlord which is followed by a notice of ejectment. I have been told that landlords do not care to recover rents on due date in order to eject their tenants for arrears of rent. Even if registered letters are sent to landlords they are not taken delivery of on the plea that he is not at home. They do not take payment till the date of payment is past and then they bring a suit for ejectment on the ground of non-payment of rents. These are methods to which some landlords resort, and I think the tenants are entitled to protection. Mr. Forrester has gone into all these questions but as he himself has made it perfectly clear, he is willing to make such modifications as would appear necessary to relieve both parties, and I do not see why we should not accept his proposition. Sir, we have been told that this measure has been opposed by some of the most influential public bodies and individuals. I take it that the most influential body, which has expressed its opinion is, to my mind, the Corporation of Calcutta, which in my opinion, does it no credit, and the others have followed suit. The Corporation has provided both the soil and the seed which are being freely used by the oppositionists in this Council and in the various replies from various representative bodies. We have been told by the Chairman of the Calcutta Corporation that the Corporation is at the back of the landlords.

Babu SURENDRA NATH MALLIK: On a point of order, Sir. He is not representing things correctly.

Mr. PRESIDENT: It is purely a matter of opinion, Mr. Mallik. The statement need not be accepted.

Mr. H. BARTON: Yes, I am expressing it as my opinion and it need not be accepted, but I am entitled to my own opinion. The Corporation are at the back of the landlords and we are practically given the hidden warning that we cannot fight this strong combination. I leave it to you to tell me whether you consider——

Mr. PRESIDENT: Mr. Barton, you are not to address the House but the Chair, please.

MR. H. BARTON: I am addressing you, Sir. I leave it to you to tell me whether you consider this strong combine is stronger than the combination of the people. If this relief is not given by this House, then it will be understood that Government is sanctioning a state of war between landlords and tenants which may reach proportions beyond anything we are able to express here to-day. I am now speaking under a mandate from my own community which is hard hit and at the same time I say that the position is one which affects equally the rich and the poor. The poor have to submit by force of circumstances and the rich have to submit to maintain their decency, so that both sides have to submit under compulsory conditions. I think, Sir, that if Mr. Langford James's proposal for a committee is accepted I would urge that the report of that committee should be considered during this session. If that cannot be done, then I press for Mr. Forrester's proposals.

Here the Council adjourned for 15 minutes.

After the adjournment.

Babu NITYA DHON MUKHERJEE: I notice for the first time in the Council a personal element has been introduced in the discussion of this Bill. It is amusing to hear both landlords and tenants declare that they are hard pressed. There is no doubt, however, that one side is hard pressed—either it is the landlords or it is the tenants. And the question is—Which side is oppressed? Babu Surendra Nath Mallik has shown by figures that it is the landlords who are oppressed. We have had a lot of tears shed here for the poor tenants. It is the poor tenants who have got to pay; it is the poor tenants who have to live in small houses. But may I ask what is the definition of "poor tenants"? Are the tenants with a monthly income of between Rs. 500 and Rs. 3,000 to be called poor tenants simply because they live in tenanted houses? Their object seems to be to save as much money as possible at other people's costs. The suggestion put forward by Mr. Langford James and Babu Surendra Nath Mallik is a very sound one. Let there be an inquiry. If that is not done how are we to know whether this Bill will do any good? Every impartial gentleman would be in favour of an inquiry. Let the question be inquired into by a committee composed of men who have got no interest in Calcutta either as landlords or as tenants, and let that committee come to a decision. I say this as an impartial man and I have every right to say so as I am neither a landlord nor a tenant nor even a resident of Calcutta.

Babu Surendra Nath Mallik had mentioned in the course of his speech that there were 2,261 houses lying vacant in Calcutta at present. Maulvi Yakuinuddin Ahmed has challenged the statement and his argument is that such cannot really be the case as the houses must have been vacated in the morning and rented out in the afternoon—so there could not have been so many houses vacant in Calcutta. My answer to

that is that ignorance is oftentimes a bliss. If my hon'ble friend had a knowledge of the Calcutta Municipal Act, he would have known that a house cannot be declared vacant unless it is continually vacant for sixty days and it is after an inquiry to that effect that a remission of municipal tax is granted. As a matter of fact there must be more houses which are vacant—more than 2,261, because landlords generally do not show their houses as vacant as in that case the water connection would be cut off.

My friend Mr. Syed Nasim Ali has another very curious argument. He says those 2,261 houses must be new houses and, therefore, they are vacant. Otherwise how can they remain vacant? Babu Surendra Nath Mallik has shown by statistics that not more than 700 houses have been built within the last three years. There were altogether 700 new houses and, therefore, there were 2,261 new houses lying vacant! Nice argument, indeed, coming from a lawyer of Mr. Syed Nasim Ali's position.

Then, Sir, we have heard of attempts being made even to attack the most impartial and prominent representatives of public bodies who are held in high esteem by the remark that they must have joined hands with the landlords, otherwise they would have supported the Bill and would not have opposed the Bill and pressed for a committee. I do not know what is meant by all this. The suggestion for the appointment of a committee was made by Mr. Langford James, but can it be said that he has joined hands with the landlords? I support Mr. Langford James's suggestion and I also support the suggestion made by Babu Surendra Nath Mallik. We say let there be a committee consisting of those persons who have nothing to do with Calcutta, who have nothing to do either with the increase or decrease of rents. As both sides agree that this Act is an Act of oppression, the only course left is to have an impartial inquiry. I therefore whole-heartedly support Mr Langford James's suggestion for the appointment of a committee.

Babu NALINI NATH ROY: My position is just the same as that of Babu Nitya Dhon Mukherjee. Some two hundred years ago, rice was selling at the absurdly high price of four maunds to the rupee in Bengal.

Mr. PRESIDENT: I do not think it can be necessary to go back 200 years. I think you had better cut short that part of your argument.

Babu NALINI NATH ROY: This price of four maunds to the rupee was so grievously high that the poor people of Murshidabad could hardly afford to purchase in such quantities as would give them one square meal a day. At the sight of this pitiable state of things the

tender heart of the then ruler of Bengal and the supreme arbiter of the destinies of its people, began to bleed copiously. Good old Murshidkuli Khan thought——

Mr. PRESIDENT: You are going off the point. We have nothing to do with what Murshidkuli Khan did. Please come to the relevant part.

Babu NALINI NATH ROY: Murshidkuli Khan thought it a great shame and forthwith made the law that henceforth rice must sell at the rate of eight maunds to the rupee; and lo! and behold!! rice began to sell at the rate of eight maunds to the rupee, for the salutary provision was attached to the rice-law——

Mr. PRESIDENT: Would you please skip over that portion about Murshidkuli Khan and come to the relevant part?

Babu NALINI NATH ROY: As to the law about how many houses and flats could be had at one *siccа* rupee per month in those good old days, history is unfortunately silent, but I can assure everyone that the number was not less than half a dozen. Well, history is doomed to repeat itself.

Mr. PRESIDENT: Order, order! Mr. Roy, you have just said that history was silent on the subject, so how can it repeat itself? I must ask you to skip that portion and come to the subject-matter under discussion. If you cannot obey my ruling, you must sit down.

Babu NALINI NATH ROY: It has been argued that we are going to relieve the poor tenants. Now, who are these poor tenants of Calcutta, for whom we are bleeding in our heart of hearts? Are they the toiling millions—the horny-handed sons of toil—who have built the palaces of this City and all that it contains with their own hands and cemented them with the sweat of their brow? Obviously not; for they live and thrive in obscure corners, in wretched *bustees* and stinking slumps, where laws like the Rent Act of Calcutta can never reach them. This Rent Act has been in operation for three years and I would like to know what good it has done to them. If this Rent Act has not done anything appreciable for these people I would like to know what sanction the present Legislators of Bengal have got to make such an enactment.

Then I want to know who are the poor people for whose special benefit we are called upon to make laws. As representing a constituency which is poor in the extreme, I should be able to sympathize with poverty and lend a helping hand in making laws for their special benefit; but I do not feel called upon to enact and re-enact laws of this

character. Why? This Act is not intended for the genuinely poor—the poor for whose special benefit Legislators of all ages and all countries have been called upon to make special provision even at the cost of other classes. But when the claims of genuine poverty are not plainly traceable, legislation for the special benefit of any class and at the expense of another, is not called for.

Let us have a definition of poverty. A native of India need not be considered a poor man who earns 3 shillings a day, because 99 per cent. of his countrymen earn much less. An Englishman earning 3 shillings a day is miserably poor; while an American on a similar income must be regarded as worse than a street beggar. So poverty is a relative term. In this City of Calcutta I am prepared to include in the category of the poor, any man whose monthly income is less than Rs. 60 or in other words less than Rs. 2 per diem. I am not prepared to enlist those who earn more than this in the category of the genuinely poor, for whose special benefit legislative enactments must be made at the cost of another section of the people. The argument that the present Bill is required for the protection of the poor, that this Bill has got behind it any philanthropic consideration, cannot be substantiated at all.

The next argument in favour of this legislation is not poverty but comparative poverty. The landlords are rich and the tenants are poor—the very terms signify riches in the one hand and relative poverty on the other. I decline to admit the validity of this argument at all. Let us have a look at the landlords and the tenants of Calcutta. Some of the big European firms of this city who deign to make a paltry profit of Rs. 500 to Rs 1,000 per cent. on their share capital are not landlords but tenants. The members of the Bengal Chamber of Commerce, the members of the Calcutta Trades Association, the members of the European Association and the members of such similar organizations not always—but in extremely rare cases—are landlords, and in the vast majority of cases are tenants. I have yet to know that the Calcutta landlord—be he a Jew, Armenian or Bengali—makes anything like 500 per cent on his investment. So landlord is not a synonymous term with richness and plenty, but so far as Calcutta is concerned rather the term tenants is. My poor heart refuses to bleed for this class of tenants and against their landlords unless a surgical operation is performed on me.

It will be said that it is not a question of relieving poverty but of mitigating hardship. My answer is: that I would be glad to mitigate hardship if I could first mitigate the incidence of poverty. With abject poverty striding through the length and breadth of Bengal, I am not prepared to waste the wealth of any class for the benefit of another and thereby mitigate hardship. I am not prepared to bring in the machinery of legislation to rob Peter to pay Paul for the purpose of

mitigating this sort of hardship, when I know full well that all the legislative machinery of the world will not suffice to produce one seer of rice or one piece of brick to build a house with.

The next argument in favour of this Bill will be the rapacity of the landlords. In the daily papers I have come across all sorts of opprobrious terms used against the landlords of Calcutta including epithets like "wolf" and "serpent." I think I would be failing in my duty if I did not point out the fact to the users of such language and those who harbour thoughts and sentiments of this character, that the wolves and the serpents are not worse animals than human beings prompted by thoughts of exclusive selfishness.

I will now mention the worst argument against the proposed measure. We have heard and read about Bolshevism. The cardinal principle of the Bolsheviks is this: State-interference in the distribution of wealth; in normal times. It is very good for a Government to try and produce wealth; but it should be remembered that to regulate distribution of wealth is what constitutes the peculiarity of Bolshevism. A system of Government which does not profess to be Bolshevik should never lend its hand to legislations of this character. I have shown before that this measure is not absolutely essential for the mitigation of the problem of poverty. If it has got any function to perform it is distribution of wealth and profits. If this Council arrogates to itself the function of distributing wealth and profit between landlords and tenants of Calcutta, why should it refuse to take upon itself the duty of adjusting wealth and profit between the drivers and conductors of the Tramways Company and the Company itself? If it is right to legislate between landlords and tenants why should not the same thing be right between the employees of the railways and their companies? If it is right to regulate the rents between landlords and tenants, why should it not be right to spring legislative interference between the miserable coal miners of Jheriah and the coal companies whose exactions on industries as well as on the poor individual consumer is not a whit less glaring than the exactions of the Calcutta landlords?

My last argument is: beginning from Bentham and ending with Carl Marx, the theory of the greatest good to the greatest number, is something that should captivate the imagination of all of us. But I would put in a word of protest, that these great men in formulating their principles forgot to cabulate the moral factor in human conduct. I would back the smallest minority with moral support behind them in preference to the biggest majority. I would back the one man with moral support behind him against the rest of the world. I believe that laws like this Rent Bill are not moral and should never be countenanced. Therefore, I do not see any reason to support this Rent Bill.

Sir ASUTOSH CHAUDHURI: I did not intend to take any part in this discussion, but I feel that possibly my experience may be a little

helpful to the members of this House. I am not a landlord, so I can speak without much feeling. I was one, but I found that it was not a profitable game. What I possessed I sold to a Marwari gentleman who is making money out of it. But my experience as a lawyer and for a little period unfortunately as a Judge has convinced me, so far as the cases which come up to the High Court are concerned, that the landlords have got grounds of complaint—very serious grounds of complaint—and that the tenants appeared to me to be much better off in various respects than the landlords. The question, however, seems to me to be one of housing, it is a housing problem to begin with. That is to say, the Calcutta Improvement Trust has not yet done its duty so far as the public is concerned. They ought to make provision for housing the poor people in such a manner as not to give occasion for a discussion like this, communications from different parts of the city to the centre should be opened out and the housing accommodation for the displaced people provided. What struck me when I went to Mysore and Bangalore was that they had improved their cities on those lines. I found the Government there had made provision for houses for middle class men who want to live comfortably but cannot afford to pay very much. They had provision made for them in different parts of the town which had been opened out for them requiring payment of small sums of money for good accommodation. Decent bungalows had also been provided for poor people. But we, in this country, so far as Calcutta is concerned, are asked to legislate for this and other things, and the immediate needs are neglected. The question is really a housing problem and nothing else. I feel the Rent Act is a piece of class legislation which ought not to be sanctioned at this stage. I entirely agree with Mr. Langford James that a committee should be appointed to inquire into the whole question, and if they think that legislation ought to be taken in hand then it will be time to proceed in that direction. But for the present, I think the mover of this Bill will be well advised to withdraw it.

The Hon'ble Mr. P. C. MITTER: I think I can approach this question with some degree of detachment because after all it does not appertain to my portfolio. Although I do not feel the same amount of responsibility as my esteemed and revered colleague does, yet as a Member of Government I cannot escape responsibility. Therefore, I have given my most anxious consideration to this problem, and for years past as a public man, as a lawyer, and in various other capacities, I had opportunities of giving anxious consideration to this problem. My responsibility as a Member of Government tells me that it is a cruel shame that any man, be he rich or poor, should be called upon to pay an inordinately large share of his income for a house to live in. It is a problem which must be solved and the solution of this problem is a question that ought to interest us. But, Sir, I am afraid that those who have

spoken in favour of Mr. Campbell Forrester's motion and those who have spoken against that motion have really failed to approach the question from the right point of view till my friend, Sir Asutosh Chaudhuri, spoke on the subject. If the problem before us be that the poor or even the well-to-do should have a house to live in at a reasonable rent, do we solve the problem by accentuating class disputes? We all know class disputes are dangerous things—they take us away from the right spirit in which big problems, important problems, ought to be solved. The obvious solution is more production, that solution I realize is easy to suggest but more difficult to materialize. Therefore, my advice to the House, both as a Member of Government and in my individual capacity as a person who has given years of anxious thought to this question, is that we should try to solve the problem by providing facilities for transit, by bringing down the cost of construction, by opening out unopened spaces and by opening out suburban areas. Sir, the problem is not really so difficult of solution as many of us are apt to imagine. It will be simply shelving the problem if we repeat the Rent Act. The tenants, perhaps, want an easy solution by repeating the Rent Act, while the landlords want to get rid of the Act. If the community suffers, if hundreds of citizens cannot get living accommodation, class interests of tenants are bound to be assertive and the landlords' just interests are likely to suffer by the overwhelming pressure of a large body of tenants. Therefore, self-interest ought to tell the landlords, self-interest ought to tell the tenants that they should find out a true solution and not a quack remedy. Sir, within two miles or perhaps less from the most congested areas of Northern Calcutta, we have places like Maniktala, Ultadingi, where with facilities of transit the poor men can reach the congested areas of the town in five or ten minutes' time. We all know that *bustee* huts can be constructed in three months' time. If there are facilities of transit, you can solve the problem to-morrow—at least by to-morrow you can make a beginning. It may be said that it will take years to take the tramway line to these places, but it will not take years to take 'buses there. Under the present law, the suburban municipalities have not the power to subsidize carrying companies. I throw out the suggestion not as a Member of Government but as a private individual that this matter is well worth investigation by a suitable committee; whether the present law should not be amended so as to give power to the outlying municipalities to raise the rates and taxes by half or one per cent. and be allowed to utilize the money thus raised for subsidizing carrying companies. I am sure, my friend, Babu Surendra Nath Ray, who is the Chairman of an important reighbouring municipality, will agree with me in this matter, because this will have the effect of raising the value of lands in the locality.

I need not weary the House with details, but there are stations on the Grand Chord line and the Bengal-Nagpur Railway line within easy reach of Calcutta which can be developed if proper facilities of transit

are forthcoming. Within Calcutta itself near about Bhowanipur I have seen hundreds of acres of very valuable land lying unbuilt. And why? Because capital has not been organized, and because it costs too much to build. With proper organization, these difficulties can be met. Therefore, I would appeal to Mr. Campbell Forrester whose Bill I appreciate has been introduced with the best of motives, and to meet a crying problem—I would appeal to him to wait, and if he feels like that, even to withdraw his motion. The present Rent Act will remain in force till May next, and I think my esteemed friend will extend the operations of this Act, and if he accepts a development committee, the most important duty of the committee will be to consider the question of the real solution of the problem. Government has a serious responsibility, but that responsibility must be discharged with due regard to justice, with due regard to what is just to the landlord, with due regard to what is just to the tenant, and if this meets with the approval of Mr. Campbell Forrester and those who have spoken on behalf of the tenants and landlords, perhaps at the end of two or three months, they will find that the spectre which the tenants have raised is after all unreal. I plead for better understanding and I am sure that if a suitable development committee be appointed, it will lead to the solution of this big problem.

I do not think I need take up the time of the House any longer.

Mr. D. J. COHEN: I have listened attentively to the speeches both for and against the motion to refer the Bill to a Select Committee. I will first of all deal with the Statement of Objects and Reasons that Mr. Campbell Forrester has placed before us. If anything, the statements there show that there is absolutely no necessity for continuing this Rent Act. He says that the tenants have been raking in three or four times the ordinary rent from the sub-tenant. If this be so, does it not prove that the landlord has been harshly dealt with, that he has not had his fair share of rent? It can never be contended that the sub-tenant has been paying three or four times what can be considered as reasonable rent, and if that is agreed upon, then surely, the only possible explanation is that the landlord has been unfairly dealt with.

This has not only made the landlord discontented but has defeated the very purpose for which the Rent Act was passed. What is the outcome? It has caused an estrangement of feeling between landlords and tenants. Apart from that, the number of cases that has gone up to the Rent Controller is few and far between and when compared with the total number of holdings that are available in Calcutta, it will be seen that the bulk of the people do not appear to avail themselves of the advantage of the Rent Act.

Turning to the speech delivered by Mr. Campbell Forrester, he has given us a list of houses where the rents have increased beyond reasonable limits. The Rent Act has been in force for close upon three years

and if the tenants of those houses have not gone to the Rent Controller to get their rents standardized does it not clearly prove that they have not sought the protection of the Rent Act because they are not in favour of it? There are many reasons why rents have increased. One of the reasons is the boom. In the year 1919-20, a lot of houses changed hands and people have had to pay very high prices. Clearly these landlords have a right to say—"Give us 6 per cent. on the present value of my house." When Government are now borrowing money at 6 per cent. free of income tax, is it not very unreasonable if the Rent Controller has urged "4 per cent. to a landlord is quite enough." I did not hear of it till Mr. Phelps delivered his speech in the Corporation. This Act has also operated very harshly on the landlords because even the Courts have constructed it as if the intention of the Legislature is that the tenants alone have got to be protected. You have the opinion of the Rent Controller himself where he says that the Small Causes Court has been allowing as much as 12 to 15 months to tenants to remove. What is the effect of an order of that description? There are many tenants who are very good and pay their rents regularly. There are also a certain number of tenants who, as soon as they find that an order of ejectment had been passed against them, try, and in several cases successfully try, to cheat the landlords out of their rents—no longer called rents but damages in the shape of rents. That being so, should we continue an Act of this description?

To prove that the standard rent is a low figure I can give you one particular instance. There is a house that has lately changed hands and has been acquired by the Calcutta Improvement Trust. The rent of that house has been standardized. It is occupied by Anglo-Indians and to-day the Calcutta Improvement Trust are charging a higher rent than the standard rent fixed by the Rent Controller. Here you have a public body like the Calcutta Improvement Trust charging, in this particular case at least, a higher rent than the standard rent. Does it not clearly show that in the opinion of the Trust the standard rent is not a fair rent? You have also heard the opinion of the Chairman of the Corporation. He has referred to section 26 which has operated, as he rightly says, very harshly, but so long as the Rent Act is in force that section must remain, because you cannot have it both ways. You must either say that the standard rent is a fair rental or you must admit that the standard rent is a very low rental. What is the effect of section 26 of the Act? The Corporation are losing money and when the Corporation loses money, it means that every rate-payer has to suffer. Not only is there a chance of the rates being increased but also important improvements cannot be given effect to.

Maulvi Yakuinuddin Ahmed and Mr. Syed Nasim Ali have thought fit to attack the Chairman on the statistics supplied by him. Babu Nitya Dhon Mukherjee has very rightly pointed out the absurdity of these attacks, as no remission of taxes is due until and unless a house is

vacant for at least 60 consecutive days. If that be so, it clearly proves that there are more than 2,000 houses lying vacant for over 60 days. Does this not go to show that at least the supply has got up to the demand? It must be remembered that this is a growing city and what is wanted is expansion. Unless you afford facilities by providing space for building houses for the poor and transport facilities, I do not think that it is reasonable to expect that the supply of houses will be very much more than the demand. For these reasons I oppose the reference of Mr. Campbell Forrester's Bill to a Select Committee.

Professor S. C. MUKHERJI: The Calcutta Rent Bill has evoked strong feelings, and it is a matter of profound regret that the question is being fought along party lines. The matter is being looked at from the point of view of self-interest. Self is the pivot round which the whole problem is revolving. The landlord is looking at it from his point of view, and the tenant is also looking at it from the tenant's point of view, and one who has listened to the discussions in this House this afternoon is convinced of one fact that there is no member present in the House who is ready with an immediate solution of this difficult problem. Sir Asutosh Chaudhuri gets up and suggests that it is a problem of housing accommodation, it is a housing problem, whereas the Hon'ble the Minister in charge of Education gets up and makes his suggestion that the question may be solved by an easy transport, by opening out new areas, constructing huts, having new *bustees*, and more buildings. Seeing that the problem is such a difficult one and seeing that the solution needs very careful consideration, it seems to me that the suggestion made by the Bengal Chamber of Commerce is the very best. A committee ought to be appointed at once and the whole matter ought to be gone into; the data ought to be collected and the real grievances on both sides ought to be known. Then this House will be in a position to decide whether the present Rent Act ought to be given a fresh lease of life, or whether a fresh piece of legislation is needed, or whether the whole thing ought to be dropped. The Hon'ble the Minister ought to give an assurance that the matter will engage his immediate attention and the matter will be dealt with by this very House either in this session or in a future session. If such an assurance from the Hon'ble the Minister is forthcoming, I am sure that Mr. Campbell Forrester will see his way to withdraw his Bill at this stage.

Adjournment.

The Council was then adjourned till 3 P.M. on Friday, the 9th February, 1923, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Friday, the 9th February, 1923, at 3 P.M.

Present:

The Hon'ble the President in the Chair, three Hon'ble Members of the Executive Council (the Hon'ble Mr. J. Donald, being absent), the three Hon'ble Ministers, and 85 nominated and elected members.

Starred Questions

(to which oral answers were given).

Revenue derived from new taxation measures and expenditure thereof.

***LI. Babu SURENDRA NATH RAY:** (*a*) Will the Hon'ble the Member in charge of the Department of Finance be pleased to state the amount of revenue received from the additional taxation from the Bengal Court-fees (Amendment) Act, 1922, the Bengal Stamp (Amendment) Act, 1922, and the Bengal Amusements Tax Act, 1922, up to November, 1922, and in December, 1922?

(*b*) Will the Hon'ble the Member be pleased to give the details of the expenditure incurred from the said amount both on the reserved departments and on the transferred departments?

SECRETARY to GOVERNMENT, FINANCE DEPARTMENT (Mr. A. Marr): (*a*) (*i*) Receipts under the Indian Stamp Act, 1899, as modified by the Bengal Stamp (Amendment) Act, 1922, for 1922-23—

		Rs.	A.	P.
Up to the 30th November, 1922	...	59,42,379	5	6
For December, 1922	...	6,89,468	5	6*
Total	...	66,31,847	11	0
Receipts for 1921-22 for the above period	...	57,66,430	5	3
Increase	...	8,65,417	5	9

It is not possible to say how much of this increase is due to additional taxation.

* The figures for December, 1922, are subject to modification, as the accounts for the said month have not yet been closed.

(2) Receipts under the Court-fees Act, 1870, as modified by the Bengal Court-fees (Amendment) Act, 1922, for 1922-23—

		Rs.	A.	P.
Up to November, 1922	...	1,32,76,321	11	3
For December, 1922	...	13,06,086	6	3*
Total	...	1,45,82,408	1	6
Receipts for 1921-22 for the above period	...	1,32,00,861	14	1
Increase	...	13,81,546	3	5

It is not possible to say how much of this increase is due to additional taxation.

(3) Receipts under the Bengal Amusements Tax Act, 1922,—

		Rs.	A.	P.
Up to November, 1922	...	1,52,294	13	0
For December, 1922	.	2,85,011	0	0*
Total	...	4,37,305	13	0

This Act came into force from the 1st April, 1922.

(b) No receipts from any particular head are earmarked either for "Reserved" or "Transferred" Departments The details cannot therefore be furnished.

Scheme for tube-wells for supply of drinking water to riparian municipalities of Hooghly and Howrah.

***LII. Rai LALIT MOHAN SINGH ROY Bahadur:** Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether the Chief Engineer of the Public Health Department has drawn up any scheme for tube-wells as the chief source of drinking water-supply to the riparian municipalities in the districts of Hooghly and Howrah?

SECRETARY to GOVERNMENT, DEPARTMENT of LOCAL SELF-GOVERNMENT (Mr. S. W. Goode): Schemes for supply of water from tube-wells were prepared for Bally, Kotrung, and Rishra-Konnagore. All these are at present in abeyance for want of funds.

* The figures for December, 1922, are subject to modification, as the accounts for the said month have not yet been closed.

Malaria in Kishoreganj town.

***LIII. Mr. S. M. BOSE:** (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been drawn to the fact that several cases of malaria have been occurring in Kishoreganj town?

(*b*) Is the Hon'ble the Minister aware that there is a large accumulation of stagnant water in the ditches and pools and that the water channels of the town are obstructed?

(*c*) Is the Hon'ble the Minister aware that since the construction of the Mymensingh-Bhairab line, a few years ago, the free flow of water has been obstructed by the railway embankments?

(*d*) Are the Government considering the desirability of directing an inquiry by the Director of Public Health into the matter at an early date?

Mr. S. W. GOODE: (*a*) The available statistics do not indicate any recent increase in malaria in Kishoreganj town, though there is a slight increase in parts of the Kishoreganj subdivision.

(*b*) There is no large accumulation of stagnant water in the town, but the water channels are silted up. The Narsunda river on the banks of which Kishoreganj is situated is badly blocked by water hyacinth.

(*c*) The Minister has no information on the subject.

(*d*) Government are of opinion that it is desirable to await the report of the expert Committee appointed to investigate the question of obstruction to the flow of water caused by railway embankments in the areas recently flooded, as the problem is likely to be considered by this Committee in its more general aspect.

Posts of the Judicial Commissioners of the Improvement Trust.

***LIV. Rai LALIT MOHAN SINGH ROY Bahadur:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that official representations have been made for the abolition of the posts of the Judicial Commissioners of the Improvement Trust?

(*b*) What is the amount of expenditure which is annually incurred in maintaining those posts?

Mr. S. W. GOODE: (*a*) It is not clear what posts are meant by the expression "Judicial Commissioners of the Improvement Trust." If the posts of the President and of the two Assessors of the Tribunal are referred to, then the answer is in the negative.

(*b*) The expenditure incurred in the year 1921-22 was as follows:—Salary of the President—Rs. 33,000; fees paid to the two Assessors—Rs. 37,550; other expenses—Rs. 7,029.

Scheme for vocational education.

***LV. Rai LALIT MOHAN SINGH ROY Bahadur:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether he has any scheme drawn up for vocational education?

(*b*) If so, what is that scheme, how far has it been introduced, and how is the scheme to be financed?

MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter): (*a*) A copy of a note on vocational education recorded by the Minister in charge of education on the 13th June, 1921, and a copy of the Interim Report of the Dacca Technical and Vocational Education Committee are laid on the Library table. The final report of the Committee is being awaited.

(*b*) Government will consider the provision of funds when the final report has been received and decisions taken upon it. No large scheme seems possible in the near future.

Proposed renewal of the Calcutta Rent Act.

***LVI. Mr. AJOY CHUNDER DUTT:** Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is proposed to renew the Calcutta Rent Act this year?

Mr. S. W. GOODE: Mr. Campbell Forrester's Bill for amending and extending the term of the Rent Act is now before the Legislative Council.

Applications for grants for High Schools.

***LVII. SHAH SYED EMDADUL HAQ:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state—

(*i*) whether there are any applications for capital and recurring grants from High English Schools in the Pabna and other districts during the current year; and

(*ii*) how many of such applications were received and how were they disposed of?

The Hon'ble Mr. P. C. MITTER: (*i*) Yes.

(*ii*) A statement is laid on the table.

Statement referred to in the reply to clause (ii) of starred question No. LVII furnishing the information in connection with the applications for capital and recurring grants from High English Schools.

	Pabna.	Other districts.
Number of applications received during the year (1922-23) ...	12	318
Number of applications granted ...	6	121
Number of applications under correspondence ...	3	79
Number of applications pending for funds ...	3	77
Number of applications refused ...	—	41

Unstarred Questions

(answers to which were laid on the table).

Revised estimate of expenditure and income of Government for the year 1923-24.

338. Babu AMULYA DHONE ADDY: Will the Hon'ble the Member in charge of the Department of Finance be pleased to state—

(*i*) what will be the revised estimate, so far as can be anticipated now, of the income and expenditure of Government for the current financial year;

(*ii*) what revenue has been raised up to December, 1922, by the levy of—

(*a*) additional stamp-duties;

(*b*) additional court-fees, and

(*c*) amusement-tax,

as a result of the passing of the taxation laws on those subjects;

(*iii*) what revenue do the Government anticipate in deficit for the budget of 1923-24; and

(*iv*) what will be the amount of deficit and how are the Government proposing to meet the same?

Mr. A. MARR: (*i*) to (*iv*) The figures are not available at present. They will be made known on the presentation of the budget to the Legislative Council.

(*ii*) The member is referred to the answer given to starred question No. LI on the subject asked by Babu Surendra Nath Ray at this meeting.

Measures for cattle welfare.

339. Babu AMULYA DHONE ADDY: Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state what steps are proposed to be taken during the next official year—

(*i*) for increasing the number of stud bulls for breeding purposes;

(*ii*) for the establishment and maintenance of dispensaries for the treatment of diseased cattle; and

(*iii*) for the provision of lands for grazing purposes with a view to increase the supply of pure cow's milk in the several parts of Bengal?

MINISTER in charge of DEPARTMENT of AGRICULTURE and INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*i*) Stud bulls of known milking pedigree are now being placed on all the Government farms and their services will be available to the cow-keepers in the neighbourhood.

(*ii*) Dispensaries for the treatment of diseased cattle are maintained by the district boards and not by Government.

(*iii*) The member is referred to the speech of the Hon'ble the Minister on the resolution on cattle-breeding moved by Mr. Prasanna Deb Raikat at the Council meeting of 6th September, 1921.

Excavation and re-excavation of tanks in Pabna.

340. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state the number of new tanks excavated and old ones restored by the District Board of Pabna for the improvement of drinking water supply in the rural areas of the district and, especially, of the Sadar subdivision during the last three years?

MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea): Government have no information.

Expenditure in combating malaria in Pabna.

341. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) whether it is a fact that Rs. 1,268 have been spent since he came into office on 2,537 villages in the district of Pabna;

(*ii*) if so, what portions of this amount have been spent for the Sadar and Sirajganj subdivisions, respectively, and the villages in the respective subdivisions; and

(*iii*) what has been the outcome of this expenditure in combating malaria, subdivision by subdivision, in the district of Pabna?

The Hon'ble Sir SURENDRA NATH BANERJEA: The question is vague and is not clearly understood, since it is not stated whether expenditure by district boards or union boards or Government is referred to.

Pay of the Health Officer of Pabna.

342. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) the pay of the present Health Officer employed by the district board of Pabna; and

(*ii*) the amount contributed by the Government towards his pay?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) Rs. 300—20—500 per mensem.

(*ii*) Half the pay.

Begging and hawking in tram-cars.

343. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state—

(*i*) whether it is a fact that many persons board the tram-cars in Calcutta with the object of collecting money on various pretexts and for hawking many articles; and

(*ii*) whether it is a fact that owing to the solicitations of these persons, passengers in the tram-cars are often put to harrassment and inconvenience?

(*b*) Are the Government considering the desirability of drawing the attention of the authorities of the Calcutta Tramways Company, Ltd., to this and of requesting them to issue instructions at an early date to put a stop to this practice?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) Government have no information.

(*b*) The reply is in the negative.

Supply of good drinking water in Pabna.

344. SHAH SYED EMDADUL HAQ: (*a*) Has the Hon'ble the Minister in charge of the Department of Local Self-Government got any information as to the number of inhabited villages in the district of Pabna which have not got a sufficient local supply of good drinking water for men and cattle?

(*b*) If not, will the Hon'ble the Minister be pleased to state whether any such statistics are being collected or will be collected during the present settlement operations?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) No.

Erosion of Noakhali town.

345. Munshi MAKRAMALI: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works aware that the river to the south of the Noakhali town and the khal to the east of the town have been silted up and extensive chars have been formed just below the town?

(*b*) Is the Hon'ble the Minister aware that the khal is cutting the Assam-Bengal railway station at Noakhali, situated on the north of the town?

(*c*) Is the Hon'ble the Minister aware that the acting Chief Engineer, Mr. A. N. Das, inspected the condition of the river and the khal and recommended the construction of two bunds (embankments) across the khal, and to divert the current by the re-excavation of a small channel towards the east from the big khal as a protective measure against the erosion of the town by the khal in the north-east of the town?

(*d*) Will the Hon'ble the Minister be pleased to state whether the construction of the bunds and re-excavation of the branch channel is to be taken up during the next dry season?

(*e*) Is the Hon'ble the Minister also aware that very great changes have taken place in the condition of the river to the south of the Noakhali town since the Chief Engineer inspected it last?

(*f*) Are the Government considering the desirability of deputing the Chief Engineer again to the town to inspect the present condition of the river, and to determine whether the time is ripe for taking any protective measures?

MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur): (*a*) Yes, but these chars are being washed away from the west and their stability is as yet uncertain.

(*b*) Yes.

(*c*) Rai A. N. Das Bahadur inspected the condition of the river and the khal and recommended the construction of one bund only with a drainage opening, but he did not recommend the diversion of the khal through any other artificial channel.

(*d*) The reply is in the negative as the recommendation of the Rai Bahadur was not accepted by Government.

(*e*) Yes, but as stated above the stability of the char is not yet established.

(*f*) Government are in receipt of regular reports on the subject and do not propose to depute the Chief Engineer at present to inspect.

Erosion of Noakhali town.

346. Munshi MAKRAMALI: (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works aware that the erosion of the Noakhali town by the river to its south and east has practically ceased?

(*b*) Are the Government considering the desirability of deputing an expert Engineer immediately to inspect the condition of the erosion and report as to whether any steps should be taken by the Government before the next rainy season to help nature?

(*c*) Is it a fact that the then Chief Engineer, Mr. A. N. Das, recommended to the Government that two bunds should be constructed in different places against the Mantiarghona khal to stop the erosion of the khal to the north of the town?

(*d*) If so, will the Hon'ble the Minister be pleased to state what steps, if any, have been taken to carry out the recommendations of the Chief Engineer?

The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur: (*a*) Yes, for the present.

(*b*) Government are in receipt of regular reports on the subject and do not consider it necessary to depute an expert Engineer at present to inspect.

(*c*) No, he recommended the construction of one bund only.

(*d*) The recommendation was not accepted by Government.

Anti-malarial works of district boards.

347. Dr. JATINDRA NATH MOITRA: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing—

(*i*) the specific anti-malarial works performed by the individual district boards of Bengal from January, 1921, to July, 1922;

(*ii*) the sum actually spent for the purpose in each case;

(*iii*) the actual measures taken by the district and local boards to improve the water supply during that period; and

(*iv*) the sum spent in each particular case referred to in (*iii*)?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) and (*ii*) No specific anti-malarial works were carried out in 1921-22 by district boards.

(*iii*) and (*iv*) A statement is laid on the Library table.

Bhatpara municipality.

348. Babu HEM CHANDRA NASKER: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether he has received any petition from the Bhatpara Peoples' Association pointing out various irregularities of the municipality?

(*b*) If so, what action, if any, has been taken in the matter?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) and (*b*) A petition was received on the 9th of August, 1922, criticising the conduct of business at a meeting of the municipal commissioners. No action has been taken by Government on that petition.

Another petition was received in the same month regarding the disposal of some borrow-pit lands which the commissioners were said to be purchasing from the Eastern Bengal Railway. The petition was forwarded to the local officers for report. The Magistrate of the 24-Parganas reports as follows:—

"The late Chief Engineer of the Eastern Bengal Railway Rai Bahadur Rala Ram, I.S.O., made a proposal to transfer some insanitary borrow-pits near the Kankinara station to Bhatpara municipality instead of filling them up. His proposal was accepted by the Railway authorities in the year 1918, who asked for a valuation of the borrow-pits in question and the Land Acquisition Deputy Collector accordingly valued them and his valuation was accepted by the Railway authorities who subsequently moved Government to sanction the relinquishment of the land. The

relinquishment was sanctioned by Government in the Revenue Department. Nothing is known regarding the purpose to which the municipality will put these borrow-pits."

As under section 34 of the Bengal Municipal Act the commissioners have absolute power to dispose of any land they do not require, Government decided not to interfere with their discretion.

Another petition alleged that a trade license fee was levied from a local rice mill. The rates at which license fees are levied under section 261, Bengal Municipal Act, are fixed by the Commissioners at a meeting with the approval of the Commissioner of the Division. No action has been taken by Government in this matter which is outside their jurisdiction (Section 261, Bengal Municipal Act).

Titaghar sewerage scheme.

349. Rai Dr. HARIDHAN DUTT Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that the proposal for the construction of drains and for the consideration of the scheme of drainage in some of the municipalities of the 24-Parganas district have been postponed for the final decision about the proposed Grand Trunk Canal?

(*b*) If so, will the Hon'ble the Minister be pleased to state whether it is similarly proposed to postpone the final approval of the Titaghar sewerage scheme?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*a*) It is not a fact that schemes of drainage have been postponed for this reason. The scheme most affected is that of the Cossipore-Chitpur municipality. A revised project to suit the present intended alignment of the Grand Trunk Canal has been prepared by the Chief Engineer, Public Health Department. The Municipal Commissioners of Cossipore-Chitpur have postponed further consideration of this project until the question of the inclusion of this municipality in Calcutta is settled.

(*b*) This question does not arise but in any case the Titaghar sewerage is in no way affected by the Grand Trunk Canal project and Government do not propose to withhold its approval to the scheme.

David Hare Training College and Dacca Training College.

350. Rai Dr. HARIDHAN DUTT Bahadur: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to lay on the table a statement showing—

(*i*) the number of classes, and the number of students in each of these classes, in the David Hare Training College and the Dacca Training College, respectively; and

(ii) the total annual cost of maintenance for each of these colleges?

(b) Is it true that most of the students attending these colleges are in receipt of stipends?

(c) Is it true that considerable accommodation in the David Hare Training College is lying vacant for the delay in the extension of classes or for lack of provision of hostel arrangements?

The Hon'ble Mr. P. C. MITTER: (a) (i) There are two classes, one B.T. and one L.T. in the David Hare Training College, and three classes, two B.T. and one L.T. or one B.T. and two L.T. in alternate years in the Dacca Training College. The limit of admission prescribed in the Rules is 50 (30 in the B.T. class and 20 in the L.T. class) in the David Hare Training College, and 60 (20 in each class) in the Dacca Training College. But in practice a larger number of students is taken in. In 1921-22, 32 B.T.'s and 22 L.T.'s were admitted in the David Hare Training College, and 68 B.T.'s and L.T.'s were admitted in the Dacca Training College.

(ii) The total annual cost of maintenance in 1921-22 was:—

(1) Rs. 93,048-9-1 in the case of the Dacca Training College.

(2) Rs. 64,606-7-5 in the case of the David Hare Training College.

(b) (1) All Government servants in the Education Department deputed to the Training Colleges are granted an allowance equivalent to full salary.

(2) Aided school teachers are granted an allowance representing three-fourths of their pay by the Department (subject to the maximum of Rs. 50 per mensem) the remaining quarter of the pay being paid by the school authorities concerned.

(3) A stipend of Rs. 20 per mensem is granted to a limited number of outside students.

(c) No. There is no portion of the present premises (No. 45, Beniatola Lane) that is not being used by the David Hare Training College and its attached hostel. The college occupies the ground and first floors and the hostel the second.

Rules for the preparation of paper books in appeals.

351. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Member in charge of the Judicial Department be pleased to state in what respects the rules for the preparation of paper books in appeals have been modified by the High Court out of deference to the protests made by the Vakils' Association and other public bodies?

MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim): A statement is laid on the Library table.

Panchayati union primary schools.

352. SHAH SYED EMDADUL HAQ: (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state the amount paid to the districts of Pabna and Bogra and other districts of Bengal during the year 1921-22 and also during the current year 1922-23 for the maintenance of the panchayati union primary schools?

(*b*) On what basis or principle has this distribution been made to the schools of each of these districts?

(*c*) Will the Hon'ble the Minister also be pleased to state the names of the districts in which there are panchayati union schools for boys and girls and the number of such schools in each of these districts?

The Hon'ble Mr. P. C. MITTER: (*a*) A statement showing the amount paid during the year 1921-22 is laid on the table. The figures for 1922-23 are not yet available.

(*b*) Grants are made at the rate of Rs. 10 per mensem for boys' schools except in Bakarganj, Tippera, and Noakhali where the rate is Rs. 11 per mensem. For girls' schools the rate is Rs. 16 per mensem.

(*c*) The labour involved in the collection of the information is altogether disproportionate to its value, and Government are not prepared to undertake it.

Statement referred to in the reply to clause (a) of unstarred question No. 352.

District.			Grant for schools built since 1918-1919. (Distributed in 1921-1922.)
			Rs.
24-Parganas	...	...	1,960
Nadia	...	...	2,314
Murshidabad	...	...	984
Jessore	...	...	1,114
Khulna	...	...	1,784
Burdwan	...	...	765
Birbhum	...	...	1,320
Bankura	...	...	1,104
Midnapore	...	...	752
Hooghly	...	...	240
Howrah	...	...	984
Dacca	...	...	1,712

District.			Grant for schools built since 1918-1919. (Distributed in 1921-1922).
			Rs.
Mymensingh	...	...	1,224
Faridpur	...	...	1,500
Bakarganj	...	...	720
Rajshahi	...	...	744
Dinajpur	...	...	312
Jalpaiguri	...	...	864
Rangpur	...	...	1,920
Bogra	...	...	1,176
Pabna	...	...	672
Malda	...	..	704
Tipperah	...	.	2,160
Noakhali	...	..	984
Chittagong	...	...	1,411
	Total	...	29,424

Special class prisoners in Dacca jail.

353. SHAH SYED EMDADUL HAQ: Will the Hon'bl Member in charge of the Department of Revenue (Jails) be plea state—

(*i*) whether it is a fact that formerly the number of political prisoners in the Dacca jail was 200 and at present there are only 30 political prisoners there;

(*ii*) whether it is a fact that Maulvi Shams-ul Huda, Secretary to the Dacca Town Khilafat Committee, and Maulvi Sadat Hossain of Anjuman Islamia, were subjected to cruel treatment and had to undergo various degrading punishments;

(*iii*) whether it is a fact that before the arrival of political prisoners referred to in (*ii*) above, the political prisoners in the Dacca jail had not to stand in file or to show their hands;

(*iv*) whether it is a fact that they were handcuffed at night on their refusal to stand in a line with the ordinary prisoners and they could not say their prayers properly; and

(*v*) whether it is a fact that their health has been impaired owing to their frequent confinement in the cells?

MEMBER in charge of DEPARTMENT of REVENUE [JAILS] (the Hon'ble Mr. H. L. Stephenson): (*i*) The figures given in the question are approximately correct.

(*ii*) No. On admission they refused to be classified as special class prisoners and were therefore not entitled to any privileges.

(*iii*) Political prisoners classified as "special" class prisoners have always been exempted from standing in file or holding their hands up. Prisoners not so classified are not entitled to this privilege.

(*iv*) Night handcuffs were imposed for breaches of jail rules. They complained that they could not say their prayers properly and it was pointed out to them that the remedy lay in their own hands—viz., to obey jail rules and regulations—that if they wanted certain privileges they should apply to be classified as special class. They finally consented to apply for such classification and after they had done so, they have been granted the privileges of special class prisoners, pending Government sanction to their classification.

(*v*) No; their health has improved since their admission to jail.

Admission to Bengal Engineering College.

354. **Rai LALIT MOHAN SINGH ROY Bahadur:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state the number of students who are annually admitted into the Bengal Engineering College at Sibpur?

(*b*) Are the Government considering the desirability of increasing the number to meet the growing need of the province?

The Hon'ble Mr. P. C. MITTER: (*a*) Formerly the number of admissions was fixed as below:—

(*i*) Civil Engineering course—20.

(*ii*) Upper Subordinate course; (*iii*) Mechanical and Electrical Engineering course; and (*iv*) Mining course—85.

After the abolition of the Upper Subordinate course the number of admissions to the Civil Engineering course was increased to 40. But no increase has been made in the number of admissions to the Mechanical and Electrical Engineering and Mining courses beyond the standards of previous years. The number of admissions to the two last-named courses during the last three years were—

Years			Mechanical and Electrical.	Mining.	Total.
1920	...	...	37	27	64
1921	...	...	42	28	70
1922	...	...	45	20	65

(*b*) The total number of admissions to the institution is limited by barrack accommodation, and an increase in admissions will involve increase in staff and facilities for practical training which financial considerations do not now permit. If and when financial conditions improve Government propose to consider the question.

Sale of quinine through post offices.

355. SHAH SYED EMDADUL HAQ: Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to lay on the table a statement showing, year by year, for the last three years and for the Sadar and Sirajganj subdivisions, respectively, of the district of Pabna—

(*i*) what was the number of quinine tubes supplied to each post office;

(*ii*) what was the total sale of quinine by each post office;

(*iii*) what is the mortality from malarial fever; and

(*iv*) what prices of quinine were realized?

The Hon'ble Sir SURENDRA NATH BANERJEA: (*i*) and (*ii*) Government are of opinion that the labour involved in compiling these statistics would not be justified by their value.

(*iii*) Figures of mortality from malarial fever in subdivisions are not available. For statistics regarding mortality from malaria in districts and towns in the year 1921, the member is referred to Form VIA of the latest Sanitation Report.

(*iv*) The information is not available without an excessive expenditure of time and labour.

Municipal Account Rules—Cheques.

356. Babu SATISH CHANDRA MUKHARJI: (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Local Self-Government been drawn to account note No. 49 for the municipality framed by the Government as contained in notification No. 5427-M., dated the 13th December, 1897?

(*b*) If so, did the Government take into consideration the practicability of the Chairman, Vice-Chairman or Secretary of a municipality cashing a cheque himself and forwarding the same in half notes and stamps in registered covers or by money orders to the payee?

(c) Are the Government considering the desirability of suitably amending the rule to make it more workable?

The Hon'ble Sir SURENDRA NATH BANERJEA: (a) to (c) The member is referred to new rule 231 of the Model Municipal Account rules (copy laid on the Library table) which were issued with Government circular No. 33-M., dated the 22nd December, 1917, and which replaced the old Municipal Account Rules published under notification No. 5472-M., dated the 13th December, 1897. The Model Account Rules have been adopted by practically all the municipalities in Bengal.

Non-official Members' Bills.

The Calcutta Rent (Amendment) Bill, 1923.

Mr. H. A. STARK: I am neither a landlord nor a tenant, I may therefore hope to be able to take an unbiassed view of the conflicting interests of landlords and tenants. But I am here not to represent my own views but those of a distinct constituency—a constituency which has been organized so as to register its opinion on public matters. My instructions are to insist upon any measure which will effectively protect the tenant, especially the tenant who has to subsist upon a moderate income.

I suppose ever since civilization produced the landlord and his tenant, there has been a feeling that the rich are preying upon the poor. There is nothing new in this, for in all phases of life the stronger preys on the weaker, and "great fleas have little fleas upon their backs to bite 'em." And what with landlords and tenants and subtenants there is to-day mutual dissatisfaction and recrimination. In many of the speeches that have been delivered on the main issues, what has most impressed me is the fresh evidence of how difficult it is for anybody to give a strictly true account of any matter. The champion of the landlord and the champion of the tenant have both indulged in such extravagances of language, that each has painted the other in a deeper hue of crimson than is warranted. If anything, the landlords have, it seems to me, protested too much; and the man who protests violently exposes himself to the suspicion that he is not altogether free from guilt. Their great anxiety that the Calcutta Rent Act should be done away with, and their opposition to the proposal that it should be amended—whether as in Mr. Campbell Forrester's Bill or otherwise, indicate clearly that they would like to have a free hand in fixing the rental of their properties. My contention is that properly viewed the Calcutta Rent Act has been beneficial to both landlord and tenant, but not sufficiently wide in its scope to come to the rescue of the poorer class of citizens. It has sinned against both the landlord and the subtenant by not legislating against the new pest that it has brought into existence—I mean the

middleman. The results have been that landlords have been irritated by the spectacle of a class of men making large profits out of the property of others, and that tenants have had to pay to middlemen those excessive rents which the Act professed to make impossible. My complaint is not so much against the landlord as against the middleman. For the dwelling houses of former years (and they are the great majority of houses in Calcutta) were designed for occupation by a single family. They made no provision for the herding together of four or five families. But owing to the stress caused by insufficient housing and by abnormally high rents, these houses have been converted by middlemen into human warrens. The result is that, in the case of the European and Anglo-Indian population, which has fewer social restrictions than Indian society, houses are so over-crowded that people are living under most insanitary conditions. Instances are known to me in which rooms have been partitioned and repartitioned by gunny screens, and men, women, and children are huddled together under conditions where the most elementary sanitation is impossible. And to obtain even such disreputable shelter, most tenants are paying—I speak of the poorer section of my own community—never less than 30 to 60 per cent. of their wages. What is the inevitable result? An aggravation of poverty: a sinking deeper and deeper into debt: a reaction on public morals: a neglect of the education of children: insufficient care of the sick: aye, even inability to pay for the burial of the dead. I am not drawing on my imagination. My position among the people on whose behalf I speak, brings me into daily contact with their difficulties and sufferings. I have stated the bare truth. If under the Calcutta Rent Act the rich have suffered, I say the poor have suffered more. The Act has not come to their aid, and herein is an indication of where the Act needs amendment. I quite agree that before action is taken a full enquiry should be made into actual conditions. I also agree that a commitee appointed by Government will be in a better position than any other committee to make investigation. But if there is any danger of an undue delay in bringing the examination, I would favour support being given to Mr. Campbell Forrester's Bill. But whatever action is taken, let us have laws that are fair to all. The landlords of Calcutta are dissatisfied with the tenants. The tenants of Calcutta are dissatisfied with the landlords, and I think both are dissatisfied with the Calcutta Rent Act as it now stands. As between landlord and tenant it is an old story, only now it has reached its climax. That is all that there is new about it. I assume that Government and this Council are agreed upon one point, viz., that the Rent Act calls for amendment. The urgent matter is that it be amended. Whether Mr. Campbell Forrester or the Ministry for Local Self-Government sets the machinery in motion is a matter of secondary importance. Only let us get the thing done quickly, and if it cannot be done quickly let the present Act be provisionally extended for a further sufficient period.

Rai NIBARAN CHANDRA DAS GUPTA Bahadur: Since yesterday we have been treated to martial music. With the clash of interests, such music becomes at times very handy. We have heard Mr. Campbell Forrester with the flourish of his tomahawk and Raja Reshee Case Law with the bringing out of his "brand of Excalibur" from its scabbard. It strikes us, that articulate Calcutta has divided itself into two hostile camps—the landlords and the tenants. But Sir, we who are outsiders, are in love with neither of these people. We find it extremely difficult to get a house in Calcutta at a moderate rent. When I pass through the streets of Calcutta I find that there are big palatial houses which are lying entirely vacant, with no tenant; but we, poor people, who want to engage a house at, say, Rs. 60, Rs. 80 or Rs. 100 per month, cannot get a house! The poorer classes have no huts, no chawls, to live in; so the real problem, as has been pointed out by Sir Asutosh Chaudhuri and endorsed by the Hon'ble the Minister in charge of Education, is a problem of house accommodation—a housing-problem; and it is necessary that the Government and the Calcutta Corporation, should address themselves to this problem. We require the development of the suburban areas, we want the construction of huts, chawls and sanitary dwellings to house the labouring classes, and I do not think the Rent Act helps us in any way in solving this great problem. Sooner or later, considering the fact that Calcutta is the second city in the Empire, the housing problem shall have to be tackled. The Improvement Trust, has now launched upon its career of destruction, but the time is not far off when it should pay attention to the construction of habitations, for the poor labouring classes. My friend, Mr. Krishna Chandra Ray Chaudhuri, who speaks on behalf of the labouring classes is very indignant towards the landlords and had a fling at "capitalism" in his speech yesterday, though he did not put it in so many words. He exclaimed that the landlords were practically fattening on their "unearned increments," but, Sir, we have not yet reached that stage of Socialism in this country when we could do without "capital," and I do not know how the suburban areas can be developed without capital. Only the other day I was passing through Dhakuria. It is a splendid place, but it is a complete marsh. I wonder why this area has not been developed since it is so close to Calcutta? It is a standing shame to the rich people of Calcutta as well as to the Calcutta Corporation that they have never dreamt of doing so. There are marshy, water-logged places everywhere, and one can hardly sleep at night on account of the mosquitoes.

The question of house accommodation and rent is really a serious problem, as appears from the agitation that has been going on in connection with it. There were meetings held here and meetings held there. But why were these people sleeping so long? Why did not they invite the attention of Government to this serious question and ask them to solve it in the best way possible?

It has been suggested by certain speakers that a committee—a thoroughly representative committee—an independent commitee—should be appointed to go into the question. In that respect I, unlike my friend Babu Nitya Dhon Mukherjee, who, living on the otherside of the Hooghly, poses as an independent man, as a moffusilite, am really an independent man. In the mufassal, there is no housing problem and no question of rent. There is hardly a tenant there who is capable of paying Rs. 100 per month for a rented house; so if a committee be appointed to consider the whole question and suggest a solution, I think Government may be willing to legislate in the matter. But with regard to legislation, I must say that I am very much afraid of it. The more legislation, the more litigation and more trouble. Of course the more the litigation, the merrier for the legal profession—a profession to which I have the honour to belong. Nevertheless, I know that the existing Rent Act has embittered the feelings between the landlord and the tenant to a certain extent in Calcutta. I have personal experience of it. I have a relation of mine who lives here in Calcutta and who is a tenant. He is now conducting a case in the highest court in this land, with regard to the standardization of rent. So, Sir, I am not much in favour of legislation of this particular kind, but I welcome legislation for the purpose of developing new areas, to have new houses and to afford facilities, for the construction of buildings; but legislation of a different description should be treated with caution. Under these circumstances, I think the best solution of the problem will be the appointment of a thoroughly representative committee to go into the whole question so far as Calcutta and its suburbs are concerned, and then, if the committee suggests legislation, Government should take it up; and I am of opinion that Mr. Campbell Forrester will be well advised to withdraw his present Bill. I am not in favour of a private member's Bill on such a momentous question.

Mr. HUSEYN SHAHEED SUHRAWARDY: It has been usual in the course of this debate to preface one's remarks by a public avowal of private disinterestedness and to leave us to wonder somewhat cynically as to why this disinterestedness has in most cases leaned in favour of the landlords. I, too, preface my remarks by saying that I am not a landlord nor a tenant, and I am not afraid to begin by saying that I am interested on behalf of the tenants; and let the Council, if it desires, somewhat cynically conjecture as to why it is so. I regret very much the equivocal attitude adopted by the Bengal Chamber of Commerce, inasmuch as it professes its inability to make up its mind as to which course it should adopt between conflicting interests. I feel sure that the lack of knowledge that Messrs. Langford James and Villiers attempt to display can be easily remedied, if they were desirous of looking about them, and not purposely preferred to remain in ignorance so as to give themean excuse for suggesting an indecent compromise. (Hear,

hear.) We are not blind indeed to the power of the landlords and the need that Government feels for their support in its reactionary measures; and the Bengal Chamber of Commerce feels that its too whole-hearted support of the cause of the tenants, its too ready advocacy in the cause of mercy and justice, may alienate the sympathies of a pliable though influential section of the public. That the Chamber is content to be a dupe of the Government is not to be doubted, but I fear that it does not wish to realize that it is making itself the dupe of the landlords as well. (Hear, hear.) Under the guise of reasonableness and vacillation, of pretended ignorance and pretended justice, it has thrown a straw of hope that, to judge by the acclamation of the landlords here, they are only too eager to grasp. And Perhaps the Government, too, hitherto in favour of the Rent Act may find it convenient to accept the proposition and bind the landlords to itself by closer ties of self-interest. And here again I regret and protest against the silence of the Government in this respect. It would have shortened our labours considerably and saved the time of the Council if Government had given expression to its views earlier in the debate if its intention is to adopt a middle course. And, then, if the debate had still proceeded and the members could not see their way to accept the proposals of the Government nobody would have grudged the Government a further hearing. To spring on us a surprise at the end is hardly fair to the Council and the members. (Hear, hear.)

Once again, I join issue with Mr. Langford James. It sounds plausible to say that "it should not be left to a private member to introduce a Bill of such paramount importance." I see no reason why private members should only bring in unimportant Bills, why tenants should not guard their interests if the Government is so apathetic as not to do so for them. (Hear, hear.) If the Bill is referred to the Select Committee, it will always be open to the Committee to report for its rejection or to modify it in such a manner as may be more in consonance with justice and experience, and all the difficulties of the Chamber of Commerce would have been solved. Such arguments have always been advanced in favour of other controversial Bills hitherto introduced; but what has happened to the staid and stable champions of Government Bills that this argument is not put forward in defence of a Rent Bill? There will be plenty of time to consider and to take evidence and collect facts and figures even after reference to a Select Committee, but no—not for this shall the same arguments prevail.

I wonder indeed what the Chamber would do if their suggestion is not accepted. Steeped in ignorance, I suppose they will refrain from voting.

One can indeed appreciate the righteous indignation of Raja Reshee Case Law, who, is, indeed as we all know, one of the best landlords in Calcutta: and no doubt he speaks as if the rest of his class were equally,

sympathetic towards their tenants. But alas! he stands only too well in a minority.

I would point out to him, in passing, that while we notice the number of houses and flats to let in the advertisements, we, or rather he, cannot see how many tenants there are looking for rooms, and how many of these buildings are snapped up never to reappear on the "To let" list.

To come to Babu Amulya Dhone Addy, we do not take him seriously. If we did, the landlords would not have a leg to stand on. Apparently he has not read the provisions of the Bill when he says that Mr. Campbell Forrester has no intention of doing away with the profiteering of the tenants. He informs us that as soon as the embargo on the export of rice was raised, and the control on coal was removed, the price of rice and the price of coal went down, forgetting that the removal of the embargo was neither responsible for the bumper crops in India or in Burma or for the increase in the cultivated area brought about by the non-co-operation movement, nor is the removal of the coal control solely responsible for the waggon supply that Government had been able to afford to coal-owners at the present moment. He informs us deliberately that a few weeks after the rent control is removed, buildings will be erected and rents will come down. I wish the landlords, who hope for any success, will refrain from having a champion who little realizes what he speaks on the subject.

From Dr. Pramathanath Banerjea we expected nothing else but an enunciation of an economic law which the most ignorant in this House are aware of, namely, that it is the law of supply and demand that governs all transactions, forgetting that in many case it is necessary to restrain it by a moral force. Of course, we did not expect him to say that the economic law was not necessarily a moral law; and he has not said it; but the time has come when we realize that when one party is strong and the other weak, efforts must be made on the part of the Government to restrain the stronger party from wreaking its vengeance upon the weaker. But I am sorry that he has adopted a note which no other member has adopted, namely, that the Bill of Mr. Campbell Forrester has been introduced for the purpose of furthering the interests of Mr. Campbell Forrester's community. I wish Dr. Pramathanath Banerjea had not raised the question of Europeans, or the question of racial distinction in this case. We are tenants, all of us, Muhammadans, Europeans and Hindus alike, and this Rent Act affects us all. It may just be that the Anglo-Indian or European community may benefit by it more than others, but this too is a proposition I very much doubt. I consider that the Muhammadan section will profit a great deal more because they, most of them, are landlords' tenants. I regret that he has raised this question and brought it to the fore.

Rai Fanindralal De Bahadur obviously imagines that there are only two sections of the community, the rich and the poor. He forgets that the Rent Act will, to a large extent, relieve the miseries of the middle class who have to maintain a certain standard of living, and the Rent Act will certainly alleviate their distress to a very large extent. I realize that this Act, as the Act of 1920, does not affect huts. I wish it did, because it would benefit the poorer section of the population, particularly the Muhammadan. I hope a champion will be found who will, having regard to the demolition tendencies of the Calcutta Improvement Trust, come forward to support the case of those who dwell in huts. But there is one point which I would like to bring to his notice. He has asked why it is that the sugar merchants and the jute merchants and the tea merchants, who have been drawing, as some other member remarked, somewhat enthusiastically, Rs. 1,000 per cent. or Rs. 2,000 per cent. as dividends, have been left aside, while the landlords have been singled out for a protective measure of this kind. Most of those who drew those large dividends, if there were any such, have disappeared. The Rai Bahadur must be aware, as all of us are, that owing to trade depression and fluctuations in exchange, there has been such a crisis in the country that the richer population who made their money during the war have disappeared and many of them have become insolvent. I should like to ask the Rai Bahadur and the landlords in general, how many landlords have become insolvent because of the Rent Act; and whether the interests of any have been permanently affected owing to this Act being in force for the last three years. It is well to realize at times that land is a safe investment in normal times.

Next we heard a very glowing speech from Mr. Surendra Nath Mallik who is now basking in the sunshine of officialdom and in sympathy with influence and power. He spoke and acted as befitted an acting Chairman of the Corporation of Calcutta, and after he had enthused about his new-found love, he turned verily like unto a Daniel come to judgment, and spoke in the same breath of the "poor landlords"—*poor* landlords, mark the adjective—ground down by the iniquities of the Rent Act, not being at the same time unmindful of the existence of the poor tenants, which he could not help. For one moment I felt his vigour coming back to him as in the old days when he spoke on behalf of the poor people of this country, but I was sadly disappointed when at the end he said he could find no room for the tenants and their miseries in his heart. Mr. Surendra Nath Mallik spoke of the unholy alliance between landlords and tenants—[A voice: Nof Mr. but Babu Surendra Nath Mallik]—Babu Surendra Nath Mallik that was and Mr. Surendra Nath Mallik that is since he became the acting Chairman of the Calcutta Corporation, spoke to us about the unholy alliance between landlords and their tenants. I wish that this unholy alliance, if it exists at all existed in a large measure. It would then become

holy indeed. Unfortunately, it is because an alliance does not exist between the landlord and the tenants that all this trouble has come about. Mr. Surendra Nath Mallik forgets that the Rent Act has nothing to do whatsoever with this unholy alliance which interferes with the assessment and deprives the Corporation of its just dues. Secondly, he has spoken of the cessation of building activities. The figures that he gave pointed just to the reverse, as he himself said that in 1921-22 there were 485 applications for sanction as against 385 in 1920-21. He then pointed superbly to the ignorance of his friends who were not aware of the precise area——

Mr. PRESIDENT (the Hon'ble Mr. H. E. A. Cotton): You have reached your time limit.

Mr. CAMPBELL FORRESTER: May the hon'ble member be allowed to speak for five minutes more?

Mr. PRESIDENT: I do not know how much longer he is likely to be.

Mr. HUSEYN SHAHEED SUHRAWARDY: I shall not take more than five minutes.

Mr. PRESIDENT: Very well, you may proceed.

Mr. HUSEYN SHAHEED SUHRAWARDY:—who were not aware of the precise area of vacant land in Calcutta. His friends can see that these plots are there, and his friends have got imagination and intelligence and reason to know that the lack of funds at present is the determining factor in Calcutta and not the operation of the Rent Act. He threatens us that if the Rent Act is repealed, the rates will be raised from 19½ per cent. to even 21 per cent. We are not afraid of that; we can risk it, for the repeal of the Act will lead to an increase of 300 per cent. of our rents. There are 2,261 vacant houses at least in Calcutta. Mr. Nasim Ali has suggested one reason, namely, that a number of them are new houses and are unable to find tenants on account of the high rents demanded. Rai Jogendra Chunder Ghose Bahadur, although he appealed on behalf of the landlords, has given us another reason why the landlords are nervous of letting out these buildings at the present moment, and that is because they do not know what will be the fate of the Rent Act, and this, I submit, is a very true reason and not that there is any falling off in the demand. I make no appeal to anyone here whose self-interest is concerned, but I do appeal to the landlords to give vent to that inner small voice, the voice of conscience which, I hope, has not been deadened since they entered this Council by the votes of their tenants.

The Hon'ble the Minister for Education has suggested that many of the landlords think that if they can invest in war bonds at six per cent., why should they invest in building operations?

The Hon'ble Mr. P. C. MITTER: May I rise to a point of explanation, Sir? I never said that.

Mr. HUSEYN SHAHEED SUHRAWARDY: If the Hon'ble Minister did not say it someone else did; at any rate this argument is put forward by the landlords that they are not building new houses because they find a safer investment by buying war bonds. Apart from the question that the Rent Act does not apply to new buildings, one thing which they are aware of and conceal is that while there is little likelihood of war bonds appreciating, land values in Calcutta are bound to increase. [A voice: Question.] They are bound to increase with the development of Calcutta as land values in London have increased from what they were some time ago; it must be so unless Calcutta deteriorates from the second city in the Empire to the last city in the Empire.

I understand some members consider that the principle underlying enhancement of rents is wrong. All that I can say is that if they support this Bill and allow it to be referred to the Select Committee, there will be plenty of time in the Select Committee to consider whether the principle of enhancement is wrong, and all just proposals will surely find acceptance. What I am asking the House to do is, unless Government at the end surprise us with a statement which may appear to be very reasonable as coming from Government, to let this matter be referred to the Select Committee where there will be plenty of time to discuss all controversial matters. I therefore request the House to support the motion for reference to the Select Committee.

Babu INDU BHUSHAN DUTTA: From the sarcastic heights from which Mr. Huseyn Shaheed Suhrawardy has deigned to criticise some members of this Council, I now come down to the ordinary question before the House.

In view of the tremendous interests that this measure has aroused in this city, it is a great pity that its importance was not fully realized by the Government and that it was left for a private member to bring forward a Bill—which, in spite of his ardent enthusiasm, has many a serious drawback, and which has naturally upset the landlords of Calcutta. The whole matter really resolves itself into these two questions—firstly, whether the supply of houses in Calcutta is utterly inadequate to meet the demand, and secondly, whether the present Rent Act has really paralysed building activities in this city. Now, as regards the first question, both the supporters and opposers seem to agree that the supply

is inadequate. Mr. Campbell Forrester, who has introduced the Bill, and whose present sympathy with the poor tenant is refreshing in contrast with his support of the taxation Bills last year, and my friend Dr. Banerjea who opposed the Bill—both are agreed on this point—that there are not sufficient houses. Now, comes the question—is the insufficiency of the houses such as to leave the poorer tenants absolutely at the mercy of the landlords? I say, poorer tenants advisedly, because I think that the richer section of the community, be they tenants or sub-tenants, have no right to seek Government protection in this matter. I believe that the law of supply and demand should generally be left to move along its unerring path, but when the necessities of life are concerned, there is a point in the life of a community, when this law cannot be permitted to work out its fateful effect. We have seen how in the case of rice and wheat Government had to interfere with free export. So, also, with house accommodation, which is now limited in Calcutta, as long as the suburbs are not opened out and transport facilities are not increased, when the poorer people are really so ground down that they cannot find a roof over their heads, except for a ruinous rent, the matter calls for some sort of interference. This interference, however, cannot be unlimited—it may be on the lines of the English Act, it may be confined to houses whose rental is not above, say, Rs. 200 or Rs. 150 a month.

Whether the position in Calcutta has up till now continued at this critical stage, is a matter on which there seems to be a great divergence of opinion. I must confess that yesterday's debate has not helped us much in getting at the real truth. Some landlords have shown their paternal solicitude for the tenants, they have taken exacting care to take the tenants under their gentle protection in their sheltering bosom. There are others again who have aspired to get such profits out of their houses, as might be yielded by the great grinding mills on the banks of the Hooghly, utterly forgetting that house accommodation is not a commodity like other merchandise which can be safely replaced by cheaper substitutes. There are again people, whose polemics on behalf of the silent masses, used to fill this House with reverberations not long ago, but who stand up to-day and oppose, ostensibly, in the interests of the poor rate-payers, a Bill, which, however partially, seeks to relieve the unfortunate poor. When there is such divergence of opinion, it is absolutely necessary that a committee of experts should be appointed to go into the whole question of rents in Calcutta and pending any action taken on the report of the committee, the present Rent Act should be extended for a temporary period.

To come now to my second question, viz., whether the present Rent Act has really paralysed building activities—here also we are faced with strongly divergent views. Babu Surendra Nath Mallik, with all the responsibility of the Chairman of the Calcutta Corporation, says

that it has; whereas Rai Bahadur Jogendra Chunder Ghose, speaking from the same side of the House, says: "at the rate, at which buildings are being built in Calcutta and the suburbs, the supply will soon be greater than the demand and rents will go down to an extent as will satisfy even Mr. Campbell Forrester." I do not understand this statement because the Rent Act does not affect new houses. In view of this divergence of opinion, it is absolutely necessary that some sort of inquiry must be made into the question of house accommodation, extension of suburbs, transport facilities and rates of rent, and I hope the Hon'ble the Minister will be pleased to give us an assurance that the present Rent Act would be extended for a short period, so that during the time the whole matter of the rate of rent, extension of suburbs and transport facilities is gone into by this Committee, the poorer section may not be made to suffer.

The Hon'ble Sir SURENDRA NATH BANERJEA: At the outset I think it my duty to congratulate the House, if I may, on the high level of debate maintained in the discussions of yesterday. Sir, this controversy has excited a great deal of feeling; passions have been stirred, recriminations have been indulged in, mass meetings have been held, but all this has taken place outside this House. Within the Legislative Chamber, despite some notable lapses, of which we have had a recent illustration a few minutes ago, there has been displayed a serenity of temper, a sobriety of judgment and a measure of freedom from excitement, which, I think, would do credit to any legislative assembly in India or elsewhere. The other day I was reading a criticism of the proceedings of our Legislative Councils in an American periodical written by an American visitor who was present in this gallery at one of our meetings. My friend, Mr. Campbell Forrester, was good enough to place this periodical at my disposal. I am sure if the American visitor were present yesterday, he would have had reasons to modify his views and perhaps to change his angle of vision.

I have referred to a notable lapse with regard to the tenor and the temper of the debate that has taken place. My friend, Mr. Huseyn Shaheed Suhrawardy, has attacked everybody he could think of, not excepting my Hon'ble friend to my left, upon whom he fathered statements which he never made. He is dissatisfied with the Government—that he always is—he is dissatisfied with the Government, and why? Because the Government did not give him the opportunity of making an attack upon it. If I had spoken earlier, and if my friend had followed me, I suppose he would have said a lot of things against me; he missed that opportunity and he is disappointed, and this House is always patient with a disappointed man. However, there is one consolation. My friend will have ample opportunities on other occasions of throwing his darts at the Government, and I hope he will gratify to the full his wishes in that respect. I have no complaint to make of his attacks on

the Government; the Government is broad-shouldered enough for receiving onslaughts of that kind, because Government rejoices and finds strength in the consciousness of right and justice.

I think I express the sense of this House when I say that whatever may be our views with regard to Mr. Campbell Forrester's Bill, we all recognize that he has done a distinct public service by introducing this Bill; he has called attention to this important subject. It must not for a moment be imagined, as my friend, Mr. Suhrawardy, believes, that the Government has been sleeping over this matter; on the contrary, this question, being one of great difficulty and perplexity, we have been considering it ever since October last. I am not permitted to untold the secrets of my prison house, and therefore, I am not allowed to take Mr. Suhrawardy into my confidence. We have not been apathetic; we have been doing our best, it is possible we might have done a great deal more; we may have committed mistakes, but is there any human institution or human being who has never committed mistakes? Government has tried to do the right, but sometimes it does that which is not right. That is the position.

It is quite clear from the trend of the debate that has taken place that there is a considerable cleavage of opinion with regard to this matter. There are those who support Mr. Campbell Forrester outright; my friend, Mr. Suhrawardy, is one of them; there are again others who oppose him outright. Then, again, there are some like Babu Indu Bhushan Datta who take a middle course and suggest counsels of moderation. That being the situation, Government feels that it must intervene and give a lead to the House. Government will not shirk its responsibility, and Government in the discharge of that responsibility invited the opinions of local bodies and of representative men. But, Sir, I am sorry to say the opinions are evenly balanced, they give us no clear indication, we have to march forward or backward or remain stationary without the clear guidance of public opinion. Now, passing to the more stable ground of facts, we find ourselves confronted with the same unfortunate situation. The facts that have been gathered are meagre and inconclusive and afford no justification for the continuance of the Rent Act, except for a very limited period. We have had a divergence of facts, a conflict of opinions in this Council Chamber; here is my friend, Babu Surendra Nath Mallik, who came forward with a record of vacant houses; if that means anything, it means that the supply of house accommodation is nearly equal to the demand. On the other hand, we have had an elaborate array of figures given us by Mr. Campbell Forrester—he has taken infinite trouble in this connection—to show that the extravagant demands of the landlords continue and that they impose exacting rents. This was in the year 1921-22. If that means anything, it means that the Rent Act has been infructuous. That being the situation Government have decided to discontinue all rent control with affect from the 1st April, 1924. In other words the

present system of rent control will remain in force till the expiry of the next cold weather. The present Act expires in May next. A short Bill will be introduced and will be passed, if the Council so pleases, extending the life of the present Act. We extend the time in order to avoid any inconvenience, hardship, or loss that may arise from a sudden stoppage of the existing system. It may be regarded—I am speaking to lawyers here—in the light of a fair notice. But, Sir, behind it there is the underlying hope that capitalists relieved from their anxiety by the prospect of the removal of the Rent Act, will invest their money in building operations and thus contribute to equalize the supply and demand in respect of house accommodation. That, Sir, is the decision of Government which I am authorized to make. The Rent Act, therefore, will cease to form part of the permanent law of the land from April, 1924.

It is an extraordinary piece of legislation justified by the presence of extraordinary circumstances. These circumstances were there on the eve of the enactment of the Rent Act in 1921. The question is, have we got the same state of things to-day? There is no evidence to show that it is so. There is indeed some evidence which indicates that in respect of several matters there has been an improvement in the situation, and there is an overwhelming body of evidence pointing to the fact that there is a distinct movement in favour of the re-establishment of the old order of things and the normal condition of affairs. Sir, in England they had a Rent Act and the British Government have decided gradually to withdraw it so that it may disappear in June, 1925. In India what do we find? Mr. Campbell Forrester himself says that in respect of land values, there has been a falling off, that the cost of building materials is less than what it was before. Therefore, we have this fact that in respect of two of the principal items associated with the construction of buildings, there has been a distinct improvement in the situation. Then there is this great movement in favour of the re-establishment of the normal condition of things. In view of these considerations would Government be justified in continuing the Rent Act, except beyond a very short period? Sir, not only from my point of view is there no justification for placing the Rent Act upon a permanent or semi-permanent footing, but it seems to me that it would be harmful to have it on the Statute Book. My friend, the Acting Chairman of the Calcutta Corporation, told us yesterday that the effect of the Rent Act has been the loss of nearly three lakhs of rupees to the Corporation. We must accept the statement. Where is the money to come from? It means the imposition of additional taxation. Who is to bear the burden? The people of Calcutta. Upon whom will the crushing weight of taxation fall? Upon the poorer section of the community. Therefore, looking at it from this point of view we must come to the conclusion that the continuance of the Rent Act in the interest of the poor ratepayers is hardly justifiable. There is another consideration. There are, as Babu Surendra Nath Mallik told us, vacant lands which might be built

upon but which remain unutilized. Whatever may be the psychology, whatever may be the motives which inspire landlords and capitalists, there is this obvious fact that when a measure of this kind hangs like the sword of Damocles over their heads, they naturally feel nervous in investing money in buildings. Nor is this all. The continuance of the Rent Act will prolong the irritating controversy between landlords and tenants which may cause and foster class and even racial strife. Lastly, the Rent controversy disguises from the public view the great issues affecting the people of Calcutta which ought to engage their serious attention. As Sir Asutosh Chaudhuri observed last night it is really a housing problem. Sir, it is more than that. It is a problem of sanitation. It is even more than that. It is the problem of easy communication, and of the extension of Calcutta. These are the vital issues concerned and if these issues can be satisfactorily settled, rents will automatically fall without the intervention of State legislation. They are brushed aside now in the unhappy squabble between landlords and tenants. Speaking on behalf of Government, I may say that the Government is the Government of landlords and tenants—of all sections of the community—Indian and European. We, therefore, appeal to all to bury the hatchet, to unite with us in concerted action for the solution of the problems and the grave issues which I have described. What is to be done for the purpose of such a solution? Government intends to start an inquiry aided, if need be and if thought advisable, by a committee. The question of the Rent Act will be excluded from the consideration of that committee. The committee will confine its attention to the exploration of the methods which may have a permanent effect upon rents in Calcutta. My hon'ble friend, Mr. Langford James, speaking on behalf of the Chamber of Commerce, observed that he would welcome a committee to go into the whole matter. If we deem it advisable, such a committee shall be appointed for the purpose not of dealing with the Rent Act or Mr. Campbell Forrester's Bill but of considering the whole situation and exploring the whole position. We do not want to skim the surface but we are anxious to sound the deeper depths without the issues being in any way obscured by the artificial excrescence of the Rent Act. I may remind the House in this connection that a Rent Committee was appointed—I think it was in the year 1920—and they considered the whole question and vetoed the proposal of a Rent Act and made certain recommendations which, I think, may even now be considered in the inquiry which the Government proposes to start. They recommended in the first place—I want to call the attention of the House to these recommendations in order to indicate the lines of the inquiry which we propose to start—the creation of a Development Board in Calcutta for the purpose of carrying out building schemes with loans guaranteed by the Government, the Corporation, and the Improvement Trust. They further suggested the expansion of Calcutta, and recommended the improvement of suburban railway communications. These are some of their recommendations and there are other proposals which

might also be considered. For instance, the Calcutta Corporation is at the present moment considering the question whether factories may not be removed to the outlying parts of the City. That would need expert advice. Then there is further question, viz., the removal of the Mint from where it is now, the site being available for building purposes. We have got two Bills which I think also will help forward the solution of this difficult problem—the Town Planning Bill which is nearly ready and I hope to be able to introduce it soon, possibly in July—and a draft Bill for the creation of an Improvement Trust in Howrah. That Bill is held up pending the decision of the question as to how the Howrah Bridge is to be financed. Sir, these and other questions will come up for consideration and will form part of the subject-matter of the inquiry which I have suggested. I am sure if some of the proposals to which I have referred are carried out, they will leave lasting results behind. They will help to relieve the evils of congestion and provide a guarantee against exorbitent rents by the equalization of supply and demand in respect of house accommodation. Here, Sir, we have a fruitful field of inquiry pregnant with the promise of future good to the people of Calcutta.

I invite the members of the Legislative Council—and I may add Mr. Campbell Forrester—to associate themselves with us for the purpose of carrying on this comprehensive inquiry. We should not deal with the surface of things, but go deeper down into the root causes that have produced the present state of affairs. It is a thorough and comprehensive inquiry that we desire to embark upon and I appeal to the House to help us in the matter; and may I appeal to Mr. Campbell Forrester in view of what I have said, in view of the whole-hearted sympathy of the Government to relieve the situation—may I appeal to him to withdraw his Bill and allow the Government to carry on an inquiry in a matter that will promote the welfare of the city, the health and happiness of thousands and hundreds of thousands of its inhabitants? (Cheers.)

Mr. J. CAMPBELL FORRESTER: It was my intention to have replied to the various criticisms, but after the speech of the Hon'ble the Minister, I feel I would waste the time of the House by doing so. There are those who believe that if you will only legislate to make the well-to-do prosperous then prosperity will leak through every class which rest upon them. I have been pleading that you shall not press down upon the brow of the poor a crown of thorns, nor should those helpless tenants be crucified on a cross of gold. My own desire is to have the tenants protected from the rapacious landlords, sub-landlords, and stop the tenants who sub-let at exorbitant rents on the plea of furnished apartments. The matter is too grave and important to be looked at in a narrow or personal way. I must remember that the Legislature who meets some evils half subdues them and I would not like to jeopardize the tenants' position by forcing my Bill to a division as without the

Government's support, it would be lost. In this world everything is accompanied by some proportionate drawback I should have preferred my Bill to have gone through, but I gladly efface myself and on the principle that half a loaf is better than none, I compromise and accept the terms offered.

The motion was then, by leave of the Council, withdrawn.

The Bengal Village Self-Government (Amendment) Bill, 1922.

Mr. BIJOYPROSAD SINGH ROY: Following the usual procedure it would have been my duty to move for the second reading of the Bengal Village Self-Government (Amendment) Bill, 1922, which I had the honour of introducing the other day. But I am not prepared to do so to-day and I take this opportunity of explaining my position. I am told by Mr. Goode that Government is anxious to get the opinions not only of the district boards but also of union boards as also the different landholders' associations of the province, particularly on matters of assessment, etc. Therefore, I suppose I must wait till different bodies submit their opinions.

The Bengal Village Chaukidari (Amendment) Bill, 1923.

Mr. PRESIDENT: Babu Indu Bhushan Dutta who was to have moved this motion has asked me to allow it to stand over till the 13th March. I understand that the Hon'ble the Member in charge has no objection. It will, therefore, stand over till the 13th March, but of course the mover will have to take his chance in the ballot.

The University of Calcutta Amendment Bill, 1923.

Babu JATINDRA NATH BASU: I beg to introduce a Bill to amend the law relating to the University of Calcutta.

The Secretary then read the short title of Bill.

Sir ASUTOSH CHAUDHURI: Sir, shall I be in order in asking you as to whether this is the time for me to move that this Bill may be rejected on the ground of incompetency?

Mr. PRESIDENT: I do not think you can move that but you can raise a point of order and can ask for my ruling.

Sir ASUTOSH CHAUDHURI: Then I would raise a point of order. I would ask you as to whether it is competent for us to take up this

legislation. In this connection, may I refer you to the section in the Devolution Rules which defines what are provincial subjects and also to Schedule I, Part II, of those rules in which is set out a list of provincial subjects. You will find that so far as the subject of Education is concerned, which is numbered 5 in the list, it is laid down that "the following subjects shall be subject to legislation by the Indian legislature, namely,—

* * * * *

(iii) for a period of five years, from the date of the commencement of these rules, the Calcutta University, and the control and organization of secondary education in the presidency of Bengal.

Therefore, it will be seen that Education has been taken out of provincial subjects for five years.

It is said that sanction has been given by the Government of India under the Government of India Act. But I would draw your attention to section 80A of that Act which runs as follows:—

80A(1) The local legislature of any province has power, subject to the provisions of this Act, to make laws for the peace and good Government of the territories for the time being constituting that province.

(2) The local legislature of any province may, subject to the provisions of the sub-section next following, repeal or alter as to that province any law made either before or after the commencement of this Act by any authority in British India other than that local legislature

(3) The local legislature of any province may not, without the previous sanction of the Governor, make or take into consideration any law . . . .

My submission is that sub-section (2) provides that the local legislature may, subject to the provisions of sub-section (3), make or alter, as to *that province* any law made either before or after the commencement of the Government of India Act. The Calcutta University Act has been extended to Assam by the Governor-General and that was done, I believe, by a notification published in 1921. That being so, the Calcutta University Act extends to two provinces, Assam and Bengal. If that is so then how does this Act allow any law to be passed by this Council with regard to a province which is outside the Presidency of Bengal? The Act simply says you may "repeal or alter any law as to *that* province," that is to say, in this case, Bengal, and it cannot, therefore, affect the province of Assam. My submission to you is this.

The Bill provides for the formation of the Senate so far as Bengal is concerned. But that would affect Assam also. That being the case, I respectfully submit that the Bill is incompetent so far as we are concerned, we cannot entertain it. It can be effective only for Bengal and it cannot be effective for both Bengal and Assam. Assam is a component part of the University and the Governor and the Minister for Education of Assam are *ex-officio* Fellows of the University. The

affiliation rules of the Calcutta University also extend to Assam and, therefore, if this Bill is enacted it would affect Assam equally with Bengal. It is no answer to me to say that if Assam does not choose to come in this we need not have her. You cannot have legislation here which will have the indirect effect of affecting Assam.

Mr. PRESIDENT: Sir Asutosh Chaudhuri has raised an extremely interesting point of order and he is perfectly justified in raising it. The hon'ble member's short point appears to be that a local legislature can only legislate for the territories comprised within its jurisdiction and that, inasmuch as the Calcutta University possesses jurisdiction over territories outside the Presidency of Fort Willham in Bengal, therefore no Bill can be considered by the Bengal Legislative Council relating to that University. The answer appears to be almost equally short. The previous sanction of the Governor-General has been obtained to the introduction of the two Bills which stand in the names of Babu Jatindra Nath Basu and Babu Surendra Nath Mallik and in clause 4 of the Devolution Rules it is stated quite definitely that the decision of the Governor-General is final The clause runs thus:—

> Where any doubt arises as to whether a particular matter does or does not relate to a provincial subject, the Governor-General in Council shall decide whether the matter does or does not so relate, and his decision shall be final

Therefore, I hold that so far as this Legislative Council is concerned, there is no incompetency If the hon'ble member has any quarrel, that quarrel is with His Excellency the Governor-General as to whether the course he has taken is wise. But as far as this Council is concerned, the matter is concluded by the fact that the sanction of the Governor-General has been received to the introduction of these two Bills.

Sir ASUTOSH CHAUDHURI: But was this point laid before His Excellency in Council? And then the further question arises which I would ask you to consider. It is this: Did any doubt arise? The Act says "where any doubt arises as to whether a particular matter does or does not relate to a provincial subject, etc." Did any doubt arise in this connection? Was the question raised as to whether the Bills would affect Assam also? Were these points placed before His Excellency in Council for decision? In the absence of any information on the point, you cannot presume that any doubt ever arose.

Mr. PRESIDENT: I am entitled to assume that His Excellency the Governor-General has been advised in this matter by his legal advisers who are well acquainted with the various intricacies of this question and as it is perfectly clear from Sir Asutosh's speech that the question is not free from doubt, I am free to assume that that doubt has been duly considered by the Governor-General. I do not, however,

want to dismiss Sir Asutosh's point of order perfunctorily and I will give him a reasoned ruling on the grounds upon which I am proceeding.

Under clause (*a*) of sub-section (*1*) of section 45A of the Government of India Act, statutory authority is given to the rules made under the Act for the classification of subjects in relation to the functions of Government as central and provincial subjects for the purpose of distinguishing the functions of local Governments and local legislatures from the functions of the Governor-General in Council and the Indian Legislature.

Under Part II of the Schedule to the Devolution Rules, item 5(*b*) (*iii*), the Calcutta University is a provincial subject, but for a period of five years from the date of the commencement of the rules it is subject to legislation by the Indian Legislature.

Under item 4 of Part I of the schedule to the same rules, legislation in regard to the Calcutta University is a central subject. But under section 80A (*3*) (*a*) of the Act the local legislature may make laws, regulating any central subject, with the previous sanction of the Governor-General. Further, under section 80A (*3*) (*f*) of the Government of India Act, the local legislature may, with the previous sanction of the Governor-General, make laws in respect of any provincial subject which is subject to legislation by the Indian legislature. Therefore, irrespective of the point as to whether colleges in Assam would be affected by that legislation, there can be no question whatever in my judgment that the local legislature has power to legislate in regard to the University of Calcutta.

As the hon'ble member is no doubt aware, the territorial jurisdiction of the Madras University as defined by notification of the Governor-General includes not only the Presidency of Fort St George but also Ceylon, which has its own Legislature, as well as the Nizam's Dominions and the State of Mysore. The Madras Legislature has recently had before it a Bill which will reconstitute their University [A Member: They have passed the Bill.] Very well. As appears from the text of the Bill, it provides that colleges shall be affiliated to the Madras University which were affiliated to the University of Madras prior to the commencement of the Act, which, it is said, has been passed. The present legislation, in fact, is not, in my opinion, a question of extra territorial legislation, for the Calcutta University is essentially a Bengal institution The mere fact that colleges in Assam can by consent place themselves within its jurisdiction does not affect the case, as those colleges remain subject to the jurisdiction of the Assam Legislature so far as territorial jurisdiction is concerned. The Assam Legislature may, with the consent of the Governor-General, as the Burma Legislature has already done, establish a University of its own and remove those colleges from participation in the privileges of the Calcutta University. The question whether Assam is in such a financial position

as to be able to establish a University of its own possesses no legal bearing upon the present case.

As matters now stand the participation of Assam colleges in the privileges of the Calcutta University continues. The question of the constitution of the Calcutta University is not affected thereby: and the Legislature of this Presidency retains full power to alter that constitution subject to the previous sanction of the Governor-General. As I read it, the effect of item 41 of Part I in the Schedule to the Devolution Rules is to assert the power of the Indian Legislature to legislate in regard to, let us say, the Calcutta University: but item 5(*b*) of Part II of the same schedule must be read along with clause (*f*) of section 80A (3) of the Act. This is evidently the interpretation placed by the Governor-General on the Rules inasmuch as his sanction to the introduction of these Bills has been given: and he is the deciding authority under Rule 4, Part I of the Devolution Rules.

The Calcutta University Bill, 1923.

Babu SURENDRA NATH MALLIK: I beg to leave to —

Mr. PRESIDENT: You need not ask for leave: you will simply introduce your Bill.

Babu SURENDRA NATH MALLIK: I beg to introduce a Bill further to amend the Calcutta University Act, 1857, and the Indian Universities Act, 1904, with the previous sanction, which is absolutely final, of the Governor-General

Sir ASUTOSH CHAUDHURI: I take the same objection to that

The Secretary then read out the short title of the Bill.

Sir ASUTOSH CHAUDHURI: With regard to the finality question, may I rise to a point of order? You referred to section 80A (3)(*f*). A simple reading of that section shows that it cannot apply to cases regulating any provincial subject——

Mr. PRESIDENT: I am always very pleased to hear you, Sir Asutosh, but I do not think we can go on discussing my ruling. You are perfectly entitled to your own views, but I cannot allow a discussion between the Chair and an hon'ble member If you feel that any further action is called for in this matter, that action can be taken quite irrespective of myself and the Council.

Sir ASUTOSH CHAUDHURI: I was only pointing out that section 80A (3)(*f*) does not apply.

Mr. PRESIDENT: I have considered that too

The Bengal Cruelty to Animals (Amendment) Bill, 1923.

Dr. HASSAN SUHRAWARDY: I beg to move for leave to introduce a Bill furtner to amend the Bengal Cruelty to Animals Act, 1869, and to amend the Bengal Cruelty to Animals Act, 1920, with the Statement of Objects and Reasons stated therein.

As the Bill has been more than seven days in the hands of the hon'ble members, may I request Government to elicit opinion from public bodies on the Bill?

The motion was then put and agreed to.

The Secretary then read out the short title of the Bill.

The Calcutta Suppression of Immoral Traffic Bill, 1923.

Professor S. C. MUKHERJI: I ask for leave to introduce the Bill for the suppression of immoral traffic in Calcutta and its suburbs.

The object of this Bill is to provide legislation which will give to the authorities such power as will materially aid them in checking the evil of commercialized vice, and as will lead to the gradual suppression of brothels and immoral traffic

The means which are suggested in the proposed Bill are—

(*a*) to amend the present laws with regard to the power of the police to order the discontinuance of a house as a brothel;

(*b*) to increase the existing penalties for solicitation and the abetment of solicitation;

(*c*) to strengthen the hand of the authorities in regard to taking charge of minor girls in brothels; and

(*d*) to strengthen the power of the Commissioner of Police with regard to the exclusion of procurers, pimps, and managers of brothels, or such persons as traffic in prostitution, from the limit of his jurisdiction.

The proposed legislation is the direct outcome of the steady growth of public opinion in the country. Along with political consciousness there has been a marked development of the civic consciousness of the people. The acting Chairman of the Calcutta Corporation made a public pronouncement in a public meeting that there are in Calcutta 18,000 registered prostitutes and 16,000 who are more or less known to be as prostitutes and this sent a thrill of horror to the minds of his audience. The dragon of lust in Calcutta needs this huge supply for the satisfaction of his carnal appetite.

Mr. PRESIDENT: Professor Mukherji, a short speech is quite enough at the present stage.

Professor S. C. MUKHERJI: It is a short speech: it will take only five or six minutes.

A brisk traffic in minor girls is going on in Calcutta carried on by that disgraceful specimen of humanity which goes by the name of pimps and procurers who have established a good profiteering business out of this trading in helpless innocent human souls. The Calcutta vice market needs a regular supply of about 1,000 girls under 10 years of age in brothels to be brought up and trained in prostitution.

In 1899, the International Conference at Brussels asked all governments to use their power to suppress the prostitution of girls under age, and to punish with the utmost severity of the law men and women living upon the earnings of prostitution

Some of the great arteries—the main thoroughfares—of this premier city of Calcutta are disfigured by houses of ill-fame—haunts of unbridled license and drunken debauchery and hotbeds of contagious and venereal diseases.

It is a matter of profound sorrow to me that there are at least 1,500 houses used as brothels which are owned by respectable Calcutta landlords who are not ashamed to add to their income from this tainted source.

In the face of this huge scandal the present provision of the law is sadly inadequate It is not my intention at this stage to enter into a detailed examination of the law as it stands at present Suffice it to say that it is wholly inadequate and this great evil in the meantime is making rapid strides and is a standing disgrace to the fair name of Calcutta It is a matter of shame that Calcutta, the centre of enlightened public opinion, is lagging hopelessly behind in this matter. Colombo, by Ordinance II—

Mr. PRESIDENT: Order, order! This is a very interesting speech but it is quite irrelevant at the present stage.

Professor S. C. MUKHERJI: I shall skip this portion and shall come to the last paragraph.

Solicitation and the abetment thereof must be severely penalized. The girls must be saved. The main thorougfares must be cleared of these houses of ill-fame Commercialized vice and immoral traffic in girls must be put an end to. Exemplary punishment must be meted out to pimps and procurers and procuresses. Landlords of Prostitutes' houses must be made to feel the weight of public opinion and brought within the pale of law. Brothels must be destroyed—these centres of physical and moral gangrene.

It is a truism you can never make people moral by legislation. But immorality when it assumes a commercial aspect and proves a dangerous menace to the welfare of society must needs be suppressed with the aid of law backed by public opinion.

With these few remarks I ask for leave to introduce the Bill.

The motion was then put and agreed to.

The Secretary then read out the short title of the Bill.

Adjournment.

The Council was then adjourned till 3 P.M. on Monday, the 12th February, 1923, at the Town Hall, Calcutta.

B. S. Press—5-3-1923—3337J—1,606—A. P. A.

INDEX

TO

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report.)

VOL. XI.—No. 1 ELEVENTH SESSION.

January 24th to February 9th, 1923.

idemic qualifications of the present Deputy Director of Sericulture, 471

ountants, certified, 293.

ly, Babu Amulya Dhone

cquisition of No. 16, Dutt Lane, for extension of the Sir Stuart Hogg Market, 432

gricultural, commercial and industrial education, 361.

alcutta Rent (Amendment) Bill, 1923, 510, 520, 523, 524

alcutta University, 259.

hamodar Floods, 214

elay in the construction of the Kidderpore Bridge, 287.

epartmental retrenchment, 286

ffect on public amusements on the passing of the Amusements Tax Act, 214.

oonda Bill, 1922, 442, 448.

rant of Rs. 2,50,000 to Calcutta University, 361

afe offices and alleged differential treatment of Indians and Europeans, 429.

easures for cattle welfare, 561.

"Phooka" on milch cows, 287.

evised estimate of expenditure and income of Government for the year 1923-24, 560.

olly's Nala, 316.

ramway strike, 215.

ournment, 132, 206, 276, 358, 427, 468, 555, 594.

Admission of students from Pabna and Tippera districts into medical colleges in Calcutta, 487.

Admission to Bengal Engineering College, 570.

Affirmation, 207.

Afzal, Khan Bahadur Nawabzada K. M.

Ministerial officers of the Education Department, 288

Travelling allowances of Deputy Commissioners of Excise, 42.

Agricultural, commercial and industrial education, 361.

Agricultural Department, Pabna, 22.

Agricultural farms

Pabna and Tippera 220.

Agricultural training

Number of schools and colleges having provisions for, 141

Ahmed, Khan Bahadur Maulvi Emaduddin

Calcutta University, 253.

Muhammadan Subdivisional Officers, 5.

Proportion of Muhammadans in the Bengal Civil Service, 478

Ahmed, Khan Bahadur Maulvi Wasimuddin

British Empire Exhibition, 106

Gun licenses for protection of crops in the mufassal, 281

Public Health Bill and Local Self-Government (Amendment), 497.

Retrenchment Committee's Report, 343.

Ahmed, Maulvi Azaharuddin

Expenses in connection with the first general election of members of reformed Bengal Legislative Council, 43.

Khulna Sundarbans Forest, 215.

Ahmed, Maulvi Rafi Uddin

Bhairab drainage scheme, 45.

Calcutta University, 257.

Ahmed, Maulvi Yakuinuddin

British Empire Exhibition, 99.

Calcutta Rent (Amendment) Bill, 1923, 535.

Calcutta University, 249, 257.

Ministerial officers of the Education Department, 277.

Aley, Mr. S. Mahboob

Provincial Police Service and number of Muhammadans therein, 309.

Ali, Mr. Syad Erfan

Culverts in the District Board roads and railway lines in North Bengal, 139.

Natural slopes within the railway area in North Bengal, 9

Vishnupur-Calcutta Chord Railway project, 215.

Ali, Mr. Syed Nasim

British Empire Exhibition, 108

Calcutta Rent (Amendment) Bill, 1923, 538.

Outbreak of diseases in flood-affected areas in North Bengal, 6.

Promotion of Bengal Judicial Service men to listed posts, 216.

Allowances

Discussion of new rules of travelling and residential, 427.

Allowances to All-India services, 373.

Amusements

Effect on public—on the passing of the Amusements Tax Act, 214.

Ananda Mohan College

Teaching of Science in—Mymensingh, 282.

Ancient buildings in Pabna district, 212.

Anglo-Indians and Small Causes Court Judgeships, 56.

Anti-malarial scheme, 211.

Anti-malarial scheme for Pabna, 498.

Anti-malarial works of District Boards, 565.

Anti-rabic treatment

Facilities to patients for, 491.

Appointment of Honorary Magistrates, 238.

Appointment of probationers in the Judicial Department, 83

Appointment of two retired officers as Honorary Magistrates of Pabna, 36.

Appintments in the Police Department, 5.

Areas under rice, sugarcane, and cotton in Pabna, 27.

Assam-Bengal Railway

Grievances of passengers on the, 223.

Assistant Director of Public Health, Industrial Area in the 24-Parganas, 70

Audit of the accounts of public bodies receiving Government grants, 294.

Azam, Khan Bahadur Khwaja Mohamed

Dacca Madrassa, 54.

Muhammadans in the office of the Inspectress of Schools, Dacca Circle, 45.

Bakarganj Civil Courts

Enlisted peons in, 66.

Banerjea, Dr. Pramathanath

Calcutta Rent (Amendment) Bill, 1923 525, 526

Calcutta University 256.

Goondas Bill, 1922, 410.

Retrenchment Committee's Report, 342.

Banerjea, the Hon'ble Sir Surendra Nath

Acquisition of No. 16, Dutt Lane, for extension of the Sir Stuart Hogg Market, 433.

Admission of students from Pabna and Tippera districts into medical colleges in Calcutta, 487.

Amendment of Bengal Municipal Act and Bengal Local Self-Government Act, 280.

Banerjea, the Hon'ble Sir Surendra Nath

Anti-malarial scheme, 211.
Anti-malarial scheme for Pabna, 498.
Anti-malarial works of District Boards, 565.
Appliances for saline injection in cholera cases, 86
Assistant Director of Public Health, Industrial Area in the 24-Parganas, 71.
Begging and hawking in tram cars, 563.
Bhairab drainage scheme, 45.
Bhatpara Municipality, 565.
Calcutta Municipal Bill, 1921, 87.
Calcutta Rent Act, 510
Calcutta Rent (Amendment) Bill, 1923, 582
Charitable dispensary at Sujanagar, 41.
Charitable dispensaries in Pabna and Tippera, 240.
Chittagong Medical School and admission of students from Chittagong Division into the Calcutta medical schools 418
Cholera and malaria in Pabna, 491.
Cholera in Bengal, 62
Culverts and bridges on Pabna-Ishurdi Road 492
Culverts and waterways in North Bengal, 148
Culverts in District Board roads in North Bengal, 148
Culverts in the District Board roads and railway lines in North Bengal, 140
Diet allowance for Indian patients in hospitals in Pabna, 317
Dehousing of Indian workmen in Kidderpore, 236
Deterioration of health of the town of Comilla, 146
Discharge of septic tank effluents into the Ganges, 233
Dispensary at Narayanpur, 58
District Board grants to Union Committees in Pabna, 504.
Drainage schemes, 496.
Excavation and re-excavation of tanks in Pabna, 561.
Expenditure in combating malaria in Pabna, 562.
Facilities to patient for anti-rabic treatment, 492.
Filtered water-supply to Baranagore Municipality, 59.
Garerghat-Khanakul Road, 9.

Banerjea, the Hon'ble Sir Surendra Nath

Government grant to dispensaries in Pabna, 157.
Government grant to the Pabna Hospital, 502.
Government recognition of charitable societies, 237.
Gratuitous medical help and medicines to Government servants, 76, 77.
Health Officers of District Boards, 214.
Influenza in Bengal, 67
Inquiry into the question of septic tanks, 74
Inspector of Septic Tanks, 73.
Local Self-Government (Amendment) Bill and Public Health Bill, 497.
Maximum number of votes for election to Local Boards, 239.
Means of communication in Pabna, 508.
Medical men to inquire into the prevalence of kala-azar in the Hooghly district, 151.
Medical practitioners in Pabna, 224.
Medical school at Chittagong, 323.
Mosquitoes in Pabna, 220.
Municipal Account Rules—cheques, 572.
Nomination of Rai Bahadur Syama Charan Bhattacharjee as Commissioner of Bhatpara Municipality, 232.
Number of municipalities and population of Bengal according to the census of 1921, 146
Number of patients treated in the charitable dispensaries in Pabna, 503.
Outbreak of diseases in flood-affected areas of North Bengal, 7.
Pabna District Board's opinion on the utility of medical relief by employing peripatetic village practitioners, 147.
Pabna-Mathura and Khalishpur-Satharia road, 494.
Pabna Municipality, 311
Pay of the Health Officer of Pabna, 562.
Phthisis patients, 486.
Projects of the Sanitary Board, 477.
Reclamation of bils of Pabna and Tippera, 486.
Recording of votes in election under Bengal Act III of 1885, 153.
Sale of quinine through post offices, 571.
Sanitary drainage scheme of Noakhali, Pabna and Tippera, 495.
Scarcity of drinking water in Dacca and Mymensingh, 235.

Banerjee, the Hon'ble Sir Surendra Nath

Scarcity of drinking water in Pabna, 494.
Scheme for training nurses in S. K Hospital, Mymensingh, 475.
Scheme of training male nurses, 229.
Septic tank effluents in the Hooghly, 71.
Silting up of Chaktai Khal, 62.
Subways under Howrah-Burdwan Chord line, 75.
Supply of good drinking water in Pabna, 563.
Tangail water-works, 243
Thana and village dispensaries, 476
Titagarh sewerage scheme, 566.
Unpassed compounders practising medicine in Pabna, 33.
Village dispensaries in Pabna, 222.
Vital statistics of Vishnupur, 308.
Water scarcity in Dacca division, 235.
Water-works scheme of the Pabna Municipality, 153.

Bajitpur

Cost of land and building for the proposed—subdivision, 503.

Bamnida

Blocking up of the mouth of river, 302.

Baral river, 310, 369.

Barma, Rai Sahib Panchanan

Goondas Bill, 1922, 382.

Barton, Mr. H.

Anglo-Indians and Small Causes Court Judgeships, 56.
Calcutta Rent (Amendment) Bill, 1923, 543, 545, 546.
Messrs, Parrott and Farnell of "Entally Riots" case, 55.

Basu, Babu Jatindra Nath

Assault on Jatindra Nath Dhari, 307.
Expenditure on the establishment of Divisional Commissioners, 289.
Goondas Bill, 1922, 385, 386, 388, 403, 405, 406, 427, 433, 435, 440, 450, 451.
Judicial and executive functions, 56.
Pay of Registrars and Sub-Registrars, 216.
Report of the Water-Hyacinth Committee, 430.
University of Calcutta (Amendment) Bill, 1923, 587.

Batwara fees and landlords' fees in Noakhali, Pabna and Tippera, 223.

Begging and hawking in tram-cars, 562.

Bengal Civil Service

Proportion of Muhammadans in the, 478

Bengal Judicial Service, 229.

Bengal Local Self-Government Act, 280

Bengal Municipal Act

Amendment of, 280.

Bengal Village Chaukidari (Amendment) Bill, 1923, 162.

Bengali publications proscribed by the Government of Bengal, 225.

Bhairab drainage scheme, 45

"Bhang" (dry) as an excisable article, 297.

Bhatpara Municipality, 565

Nomination of Rai Bahadur Syama Charan Bhattacharjee as Commissioner of, 231.

Bhattacharji, Babu Hem Chandra

Subordinate Educational Service, 56.

Bhattacharjee, Rai Bahadur Syama Charan

Nomination of as Commissioner of Bhatpara Municipality, 231.

Bible

Passages from the—for University Examination, 297

Bigamy cases in Pabna and Tippera, 13.

Bill

Bengal Cruelty to Animals (Amendment)—, 1923, 592.
Bengal Village Chaukidari (Amendment)—, 1923, 162, 587.
Bengal Village Self-Government (Amendment)—, 1922, 162, 587.
Bengal Village Self-Government (Amendment)—, 1923, 163, 511.
Calcutta Municipal—, 1921, 87.
Calcutta Rent (Amendment)—, 1923, 160, 511, 572.

Bill

Calcutta Suppression of Immoral Traffic —, 1923, 592.
Calcutta University—, 1923, 591.
Goondas—, 1922, 375, 433.
Local Self-Government (Amendment), 497.
Non-official Members,' 160.
Public Health, 497.
University of Calcutta (Amendment) —, 1923, 587.

Bils

Reclamation of of Pabna and Tippera, 487.

Births and deaths

Registration of—in the mufassal, 156.

Boat hire

Expenses of—for service of processes of civil courts within the municipal areas of Pabna-Bogra, 488

Bose, Mr. S. M.

Calcutta University, 205.
Cost of land and building for the proposed Bajitpur subdivision, 503
Excavation of a tank in Kishoreganj in connection with the scheme of partition of Mymensingh, 477.
Malaria in Kishoreganj town, 558
Scheme for training nurses in S. K. Hospital, Mymensingh, 475.
Teaching of Science in Ananda Mohan College, Mymensingh, 282.

Boundary dispute cases or Pabna and Bogra, 190

Breeding bulls in Pabna and Tippera, 222.

Bridges and culverts near Santahar, 279.

British Empire Exhibition, 88

Buildings at Hijli district, 133.

Burdwan

Picketing cases against certain persons in Burdwan, 431.

Calcutta

Imposition of a police rate in, 9.
Honoraria to officials during His Royal Highness the Prince of Wales' visit to, 81.

Calcutta Medical College

Beds and cabins in, 364.
Reserved seats in the, 210.

Calcutta Municipal Bill, 1921,

Calcutta Rent Act, 510.

Proposed renewal of the, 559.

Calcutta Rent (Amendment) Bill, 1923, 160, 511.

Calcutta Research Tannery, 321.

Calcutta University, 164, 244.

Audit Report of accounts of Calcutta University, 158.
Grant of Rs. 2,50,000 to, 361.
Grant to, 279.
Purposes for the grant of about 1½ lakhs to, 292.
Reconstruction of the, 289.

Calcutta University deficit and Government grant, 140.

Campbell Hospital

Beds and cabins in, 364.

Cars

Alleged boycott of non-English in Calcutta, 489

Cattle of Pabna, 212.

Cattle welfare

Measures for, 561.

Certificate under section 72D of the Government of India Act, 321.

Cess charges

Exemption of—in respect of petty revenue-free lands, 301.

Chaktai Khal

Silting up of, 62.

Charges of corruption against Subdivisional Officer of Khulna, 231.

Jhargram

Cost of the new subdivision of, 500.
New—subdivision in Midnapore, 501.

Charitable dispensaries

Number of patients treated in the—in Pabna, 502.

haritable societies

Government recognition of, 237.

haudhuri, Khan Bahadur Maulvi Hafizar Rahman

Improvement of the Karatoya river, 324, 328.

:haudhuri, Babu Kishori Mohan

Academic qualifications of the present Deputy Director of Sericulture, 474.
Calcutta University, 184, 186.
Council Secretaries, 207.
Goondas Bill, 1922, 381, 410, 415.
Residential quarters for the Chief Justice, 278.
Retrenchment Committee's Report, 346
Steam launch of Executive Engineer, Rajshahi Division, 469.
Zamindars enjoying the privilege of realizing rent by the certificate procedure, 207.

:haudhuri, the Hon'ble the Nawab Saiyid Nawab Ali

Academic qualifications of the present Deputy Director of Sericulture, 474
Agricultural, commerical and industrial education, 362.
Agricultural Department, Pabna, 22
Areas under rice, sugarcane and cotton in Pabna, 27.
"Bhang" (dry) as an excisable article, 297.
Blocking up of the mouth of the river Bamnida, 303.
Breeding bulls in Pabna and Tippera, 222.
Bridges and culverts near Santahar, 280.
British Empire Exhibition, 88
Buildings at Hijli district, 131
Calcutta Research Tannery, 321.
Cattle of Pabna, 242.
Construction of the proposed Chamber of the Bengal Legislative Council, 144.
Consumption of liquor and revenue derived therefrom in the district of Pabna and Tippear, 85.
Commercial and technical schools, 230.
Commercial, industrial and technical schools, 217.
Co-operative Banks in Chittagong, Noakhali, Pabna and Tippera, 26.

Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali

Co-operative Societies in Pabna, 22.
Cost of establishment of the Public Works Department in Pabna, 508.
Cotton cultivation in Bengal, 483.
Cultivators and Co operative Societies in Pabna and Tippera. 21.
Date-sugar industry, 302.
Date-sugar industry in Pabna and Tippera, 222.
Defalcations in the offices of the Commissioner of Excise, 60.
District Agricultural Officer, Pabna, 223.
European and Anglo-Indian Unemployment, 506.
Excavation of tank in Kishoreganj in connection with the scheme of partition of Mymensingh, 478.
Excise in Pabna and Tippera, 27.
Final forecast of the winter crop of certain districts, 155
Financial held to indigenous industrial concerns, 232
Fish supply of Pabna, 366.
Grand Trunk Road from Howrah to Burdwan, 361
Grievances of passengers on the Assam-Bengal Railway, 224.
Handloom industries in Bengal, 370.
Inconvenience of passengers at Dhakaria station on the Eastern Bengal Railway, Southern Section) 218.
Inconvenience of passengers at the ticket windows at Howrah, Sealdah and Naihati, 225.
Inconvenience of passengers at Howrah Railway station, 230.
Increase in drunkenness, 86.
Improvement of sugar manufacture, 500.
Ishurdi-Sadhuganj railway project, 295.
Khulna railway and steamer stations, 321.
Latrine arrangements in local trains of the Eastern Bengal Railway, 294.
Liquor shops in Pabna and Tippera, 34.
Measures for cattle welfare, 561.
Middle Class Unemployment Committee, 369.
Pabna and Tippera agricultural farms, 220.
Paddy in Pabna, 24.

Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali

Platform and waiting room at Faridpur railway station and branch train corresponding to Chittagong Mail, 484
Protective works of Pabna town, 360.
Public Works Department roads within the municipalities of Pabna and Tippera, 313.
Erosion of Noakhali town, 564.
Reduction of spans on the Eastern Bengal Railway line from Nator to Santahar, 210
Report of the Water-Hyacinth Committee, 430.
Sara-Sirajanj Railway, 309, 317.
Steam launch of Executive Engineer Rajshahi Division, 470.
Sugarcane and cotton cultivation, 227
Teaching of improved methods of cultivation to cultivators, 221.
Travelling allowances of Deputy Commissioners of Excise, 43.
Travelling charges of the Deputy Director of Agriculture, Rajshahi Circle, 22
Veterinary assistants, 315
Vishnupur-Calcutta Chord Railway project, 216
Weaving industries in Bengal, 480

Chaudhuri, Sir Asutosh

British Empire Exhibition, 95, 98
Calcutta Rent (Amendment) Bill, 1923, 550
Calcutta University, 264, 265, 268, 269, 274, 275, 591
University of Calcutta (Amendment) Bill, 1923, 587, 589

Chaudhuri, Rai Harendranath

Allowances to All-India services, 373
British Empire Exhibition, 101.
Calcutta University, 172, 177.
Commercial, industrial and technical schools, 217.
Cotton cultivation in Bengal, 483
Dispensary at Narayanpur (Barrackpore), 57, 58.
Filtered water-supply to Baranagore Municipality, 58, 59.
Goondas Bill, 1922, 378, 387, 399, 407, 412, 452.
Improvement of sugar manufacture, 500.

Chaudhuri, Rai Harendranath

Receipts and expenses under revenue head XIII, 217.
Reconstruction of the Calcutta University, 289.
Salt, 217.
Weaving industries in Bengal, 480.

Chaukidari fines and rewards, 228.

Chaukidari tax in Pabna, 38.

Chittagong

Deforesting areas near about the shrines of Chandranath and Shombhunath in, 219.
Medical school at, 322.
Salt congestion in, 209.

Chittagong Medical School and admission of students from Chittagong Division into the Calcutta medical schools, 497.

Cholera

Outbreaks of—in Pabna owing to scarcity of drinking water, 365.

Cholera and malaria in Pabna, 190.

Cholera in Bengal, 62.

Chowdhury, Maulvi Fazlai Karim

Strength of the factory inspecting staff, 504.

Cohen, Mr. D. J.

Calcutta Rent (Amendment) Bill, 1923, 553

Constables in Pabna, 151.

Contributions for supplying uniforms to chaukidars and dafadars by Union Boards and Union Committees, 150.

Construction of culverts and waterways in roads and railways in North Bengal, 390.

Construction of the proposed Chamber of the Bengal Legislative Council, 144.

Comilla

Deterioration of health of the town of, 145.

Committee

Middle Class Unemployment, 369.
Pabna District Flood Relief, 492.
Railway Advisory—for Bengal, 227.
Report of the Water-Hyacinth, 430.
Standing—of Commerce and Marine, 68.

Committee to enquire into the question of North Bengal flood, 431.

Communal representation on certain services, 5.

Communication

Means of—in Pabna, 507.

Co-operative banks in Chittagong, Noakhali, Pabna and Tippera, 25.

Co-operative Societies

Cultivators and—in Pabna and Tippera, 21.

Co-operative Societies in Pabna, 22

Cotton cultivation in Bengal, 483.

Council

Construction of the proposed Chamber of the Bengal Legislative, 141.

Council Secretaries, 207.

Courts of Additional District Judges and Sub-judges at stations other than head-quarters towns, 495.

Court-fee stamps

Loss of—from Bakarganj Treasury, 208.

Criminal Procedure Code

Persons dealt with under section 144(1) in Pabna, 35.

Crop

Final forecast of the winter—of certain districts, 155.

Cultivation

Teaching of improved methods of—to cultivators, 220.

Culverts and bridges on Pabna-Ishurdi Road, 492.

Culverts and waterways

Construction of—in roads and railways in North Bengal, 490.

Culverts and waterways in North Bengal, 148.

Culverts in District Board roads in North Bengal, 148.

Culverts in the District Board roads and railway lines in North Bengal, 139.

Customs Department

Centralization of the administration of the, 226.

Dacca

Non-co-operator prisoner, Babu Purna Chandra Das, in Dacca Jail, 69.

Dacca Jail

Special class prisoners in, 569.

Dacca Madrassa, 54.

Dacca Training College, 566.

Damodar floods, 9, 214

Darjeeling

Quinine from—factory, 291.

Das, Babu Bhishmadev

Competitive examination for the recruitment of certain services under Government, 508
Electoral rules and polling centres for Council election, 290.
High schools in Bakarganj and Dacca managed by Namasudras and students of backward classes, 362.
Madaripur Bil route canal embankment, 316.
Platform and waiting room at Faridpur railway station and branch train corresponding to Chittageng Mail, 483.
Survey of the waterway from Sandiaghat to Talma *via* Bhanga, 484.
Tetulia-Sripur Khal and Madaripur Bil route canal embarkment, 59.

Das, Babu Purna Chandra

Non-co-operator prisoner—in Dacca Jail, 69.

Das, Mr. S. R.

Goondas Bill, 1922, 385, 393, 394, 403, 404, 413, 414, 415.

Das Gupta, Rai Bahadur Nibaran Chandra

Calcutta Rent (Amendment) Bill, 1923, 574.
Calcutta University, 258.
Goondas Bill, 1922, 380, 391, 405, 411, 415, 436, 441, 451, 458, 465, 466
Loss of Court-fee stamps from Bakarganj Treasury, 208.
Procedure relating to debates, 158, 159.
Retrenchment Committee's Report, 331, 340.

Date-sugar industry, 301.

Date-sugar industry in Pabna and Tippera, 221.

David Hare Training College, 566.

Da, Rai Bahadur Fanindralal

Calcutta Rent (Amendment) Bill, 1923, 528.
Garerghat-Khanakul Road, 9.
Inconvenience of passengers at Dinkarna station on the Eastern Bengal Railway (Southern Section), 218
Monopoly of tramway service in Calcutta, 476.
Pay and provident funds for teachers of aided girls' schools, 290.
Retrenchment Committee's Report, 334.

Death of present and past members of Council, 2.

Death-rate in Pabna, 366

Defalcations in the office of the Commissioner of Excise, 59.

Defalcations in the office of the Inspector-General of Police, 308

Defamation cases against newspapers, 29[illegible]

Defamation suits against Mr. D. S. Fraser, 213.

Dehousing of Indian workmen in Kidderpore, 235.

Demand for grant—Land Improvement and Agriculturists' Loans Acts, 115.

Depressed classes in Pabna, 151.

Deputy-President

Amendment of Standing Orders, 116
British Empire Exhibition, 105.
Goondas Bill, 1922, 421, 422, 448.

Day, Mr. G. G.

Grand Trunk Road from Howrah to Burdwan, 361.

Dhari, Jatindra Nath

Assault on, 307.
Case of one, 281.

Diet allowance for Indian patients in hospitals in Pabna, 317.

Diet money for witnesses in suits in Tippera and Pabna, 16.

Dispensaries

Charitable—in Pabna and Tippera, 240.

Dispensaries

Government grant to—in Pabna, 157.
Thana and village, 476
Village—in Pabna, 22

Dispensary at Narayanpur (Barrackpore), 57.

District Agricultural Officer, Pabna, 223.

District Board grants to Union Committees in Pabna, 504.

District Boards with Official Chairman, 362.

Division Lists

Amendment of Standing Orders, 125.
British Empire Exhibition, 114, 115.
Goondas Bill, 1922, 426, 445.

Donald, the Hon'ble Mr. J.

Additional officers of the Finance Department, 82.
Bengal Retrenchment Committee, 241.
Centralization of the administration of the Customs Department, 226.
Certified Accountant, 293.
Departmental retrenchment, 286.
Effect on public amusement's on the passing of the Amusement Tax Act, 214
Examination of officials and non-officials by the Retrenchment Committee, 230.
Expenditure on the establishment of Divisional Commissioners, 289.
Jute, cotton, rice and oil seeds in Pabna and Tippera, 31.

Donald, the Hon'ble Mr. J.

Life offices and alleged differential treatment of Indians and Europeans, 429.

Loss of Court-fee stamps from Bakarganj Treasury, 208.

Officers of the Pabna District getting revised salaries since 1919, 5.

Pay and allowances of officers in Pabna, 225.

Pay of ministerial officers, 66.

Payment of pensions through post-offices, 83.

Railway Advisory Committee for Bengal, 227.

Receipts from stamps in Pabna due to new Stamp and Court-fee laws, 227.

Report of the Bengal Retrenchment Committee, 244.

Retrenchment Committee's Report, 350.

Retrenchment in various departments, 279.

River stations of the Joint Steamer Companies, 34.

Sale of judicial and non-judicial stamps in Noakhali, Pabna and Tippera, 29.

Salt, 217.

Salt congestion at Chittagong, 209.

Stamp revenue in Pabna from the new taxes, 228.

Standing Committee of Commerce and Marine, 68.

Telegraph office at Sujanagar, 374.

Thanas without telegraph office and unions without post office, 28.

Tramway strike, 211, 215, 219, 221.

Donovan, Mr. J. T.

British Empire Exhibition, 109, 118.

Drainage schemes, 496.

Drains and drainage works, 243.

Drinking water

Scarcity of—in Dacca and Mymensingh districts, 235.

Scarcity of—in Pabna, 493.

Supply of good—in Pabna, 563.

Drunkenness

Increase in, 86.

Dutt, Mr. Ajoy Chunder

Calcutta University, 164, 196, 273.

Cost of the new subdivision of Jhargram, 500.

Dutt, Mr. Ajoy Chunder

Defalcations in the office of the Inspector-General of Police, 59, 308.

Financial assistance to Patrasayar High School in Bankura, 484.

Goondas Bill, 1922, 397, 409, 420.

Grant to Calcutta University, 279.

Imposition of a police rate in Calcutta, 9.

Proposed renewal of the Calcutta Rent Act, 559.

Proposed subdivision in Midnapore with headquarters at Hijli, 219.

Purposes for the grant of about 1½ lakhs to Calcutta University, 292.

Subhankari Irrigation scheme in Vishnupur (Bankura), 237.

Tramway strike, 278.

Quinine from Darjeeling factory, 291.

Vital statistics of Vishnupur, 308.

Dutt, Rai Bahadur Dr. Haridhan

Audit of the accounts of public bodies receiving Government grants, 294.

Certified Accountants, 293.

David Hare Training College and Dacca Training College, 567.

Goondas Bill, 1922, 379, 384, 386, 400, 408, 412, 439, 444.

Goonda Department of the Calcutta Police, 61.

Ratio between the inspecting officers and teachers, 506.

Statement of certain police officers in the case of Sarat Chandra Dhar *vs.* Sub-Inspector P. N. Mukherjee of the Calcutta Police, 60.

Titagarh sewerage scheme, 566.

Dutta, Babu Annada Charan

Chittagong Medical School and admission of students from Chittagong Division into the Calcutta medical schools, 497.

Deforesting areas near about the shrines of Chandranath and Shombhunath in Chittagong, 219.

Jails and jail gardens, 219.

Silting up of Chaktai Khal, 62.

Dutta, Babu Indu Bhushan

Amendment of Standing Orders, 122, 130.

Bengal Village Chaukidari (Amendment) Bill, 1923, 162.

Dutta, Babu Indu Bhushan

British Empire Exhibition, 91, 92, 113.
Calcutta Rent (Amendment) Bill, 1923, 580.
Calcutta University, 244, 245.
Cholera in Bengal, 62.
Goondas Bill, 1922, 377, 387, 410, 437, 441, 453, 460, 464.
Medical School at Chittagong, 322, 324
Pay of ministerial officers, 66, 355.
Retrenchment Committee's Report, 330, 331, 334, 352.
Sales of occupancy holdings in Pabna and Tippera, 25

Eastern Bengal Railway

Latrine arrangements in local trains of the, 294
Reduction of spans on the line from Natore to Santahar, 209.

Education

Agricultural, commercial and industrial, 361.

Education amongst depressed classes, 296.

Education charges of the Pabna District Board, 26

Education Department

Ministerial officers of the, 277.

Educational officers in Pabna, 318.

Election

Expenses in connection with the first general—of members of reformed Bengal Legislative Council, 43.

Election expenses of local bodies in Pabna, 373.

Election to District Boards, 353.

Electoral rules and polling centres for Council election, 290.

Embankment on Mohari river in Noakhali, 430.

Entally Riots

Messrs. Parrott and Farnell of—case, 55.

Erosion of Noakhali town, 563.

Establishment cost of the Public Works Department in Pabna, 508.

European and Anglo-Indian unemployment, 505.

Examination

Competitive—for the recruitment of certain services under Government, 308.

Excise in Pabna and Tippera, 27.

Executive Engineer

Visit of the—of Rajshahi to Pabna, 152.

Expenditure in combating malaria in Pabna, 562

Expenditure on the establishment of Divisional Commissioners, 289

Factory inspecting staff

Strength of the, 504.

Famine in Pabna, 295.

Faridpur railway station

Platform and waiting room at—and branch train corresponding to Chittagong Mail, 483.

Finance Department

Additional officers of the, 82

Financial help to indigenous industrial concerns, 232.

Fire-arms in the Pabna district, 80.

Fish supply of Pabna, 366

Flogging in jails, 361.

Flood, North Bengal, 26.

Forrester, Mr. J. Campbell

British Empire Exhibition, 104
Calcutta Rent Bill, 1923, 160, 161, 162, 511, 517, 526, 579, 586.

Fraser, Mr. D. S.

Defamation suits against, 213.

Gambling in Pabna, 33.

Gaforghat-Khanakul Road, 9.

Ghose, Mr. D. C.

Amendment of Standing Orders, 119.
British Empire Exhibition, 97.
Calcutta University, 178.

Ghose, Rai Bahadur Jogendra Chunder

British Empire Exhibition, 104, 105.
Calcutta Rent (Amendment) Bill, 1923, 540.
Calcutta University, 254, 269.
Goondas Bill, 1922, 395, 420, 421, 448, 456, 467.
Retrenchment Committee's Report, 345.
Transfer and posting of judicial officers, 485.

Girls' schools

Pay and provident funds for teachers of aided, 290.

Goode, Mr. S. W.

Amendment of the Local Self-Government Act, 372.
Beds and cabins in Calcutta Medical College and Campbell Hospitals, 361.
Bengal Village Self-Government (Amendment) Bill, 1923, 511.
Death-rate in Pabna, 367.
Election expenses of local bodies in Pabna, 373.
Elections to District Boards, 353.
Loans to Pabna Municipality and District Board for water-supply, 363.
Malaria in Kishoreganj town, 558
Outbreaks of cholera in Pabna owing to scarcity of drinking water, 366
Posts of the Judicial Commissioners of the Improvement Trust, 558.
Proposed renewal of the Calcutta Rent Act, 559
Reserved seats in the Calcutta Medical College, 210.
Scheme for tube wells for supply of drinking water to riparian municipalities of Hooghly and Howrah, 557

Goonda Department of the Calcutta Police, 61.

Goondas, conviction of, 475.

Governor's assent to amended Standing Orders, 428.

Government grant to the Pabna Hospital, 502.

Grand Trunk Road from Howrah to Burdwan, 360.

Grants in aid to Edward College, Pabna, 77.

Grants in aid to European and Indian high schools at Kharagpur, 10.

Gumti Embankment

Maintenance charges of 498.

Gun licenses for protection of crops in the mufassal, 281.

Handloom industries in Bengal, 370.

Haq, Maulvi A. K. Fazl-ul

Goondas Bill, 1922, 382.
Pay of ministerial officers, 354.
Retrenchment Committee's Report, 336

Haq, Shah Syed Emdadul

Acquisition of land for residential quarters for the Collector of Pabna, 157.
Additional officers of the Finance Department, 82.
Admission of students from Pabna and Tippera districts into medical colleges in Calcutta, 487
Agricultural Department, Pabna, 22.
Alleged boycott of non-English cars in Calcutta, 489.
Alleged raising of subscriptions in certain sub-registry offices in Pabna, 41.
Amendment of Bengal Municipal Act and Bengal Local Self-Government Act, 280.
Amendment of Standing Orders, 126, 127, 131.
Ancient buildings in Pabna district, 212.
Anti-malarial scheme for Pabna, 498.
Appliances for saline injection in cholera cases, 86.
Applications for grants for high schools, 559.
Appointment of two retired officers as honorary magistrates of Pabna, 36.
Appointments in the Police Department, 5.
Appointment of honorary magistrates, 238.
Appointment of probationers in the Judicial Department, 83.
Areas under rice, sugarcane and cotton in Pabna, 27.
Baral river, 310, 369.
Beds and cabins in Calcutta Medical College and Campbell Hospitals, 361.

Haq, Shah Syed Emdadul

Begging and hawking in tram-cars, 562.
Bengal Retrenchment Committee, 241.
Bengal Village Self-Government (Amendment) Bill, 1923, 163, 511.
"Bhang" (dry) as an excisable article, 297.
Bigamy cases in Pabna and Tippera, 13.
Boundary dispute cases of Pabna and Bogra, 199.
Breeding bulls in Pabna and Tippera, 222.
Bridges and culverts near Santahar, 279.
Batwara fees and landlord's fees in Noakhali, Pabna and Tippera, 223.
Buildings at Hijli district, 133.
Calcutta University deficit and Government grant, 149.
Cases of murder in Pabna, 39.
Case of one Sundar Ali, 111.
Cattle of Pabna, 242.
Centralization of the administration of the Customs Department, 226.
Charitable dispensary at Sunanagar, 40.
Charitable dispensaries in Pabna and Tippera, 240.
Chaukidari tax in Pabna, 38.
Choked up waterways in Bengal, 24.
Cholera and malaria in Pabna, 491.
Committee to enquire into the question of North Bengal floods, 431.
Communal representation on certain services, 5.
Conviction of British subjects with forged currency notes in Tripura State, 20.
Conditions imposed when granting licenses for arms, 155.
Constables in Pabna, 151.
Construction of culverts and waterways in North Bengal, 490.
Construction of the proposed Chamber of the Bengal Legislative Council, 144.
Consumption of liquor and revenue derived therefrom in the districts of Pabna and Tippera, 85.
Contributions for supplying uniforms to chaukidars and dafadars by Union Boards and Union Committees, 159.
Conviction of British subjects with forged currency notes in Tripura State, 20.

Haq, Shah Syed Emdadul

Co-operative banks in Chittagong, Noakhali, Pabna and Tippera, 25.
Co-operative societies in Pabna, 22.
Cost of establishment of the Public Works Department in Pabna, 508.
Cost of settlement buildings in Pabna-Bogra districts, 85.
Cost of survey and settlement operations in Pabna and Bogra districts, 150.
Cultivators and co-operative societies in Pabna and Tippera, 21.
Culverts in District Board roads in North Bengal, 148.
Culverts and bridges on Pabna-Ishurdi Road, 192.
Culverts and waterways in North Bengal, 148.
Date-sugar industry in Pabna and Tippera, 221.
Death-rate in Pabna, 396.
Decrease of work of stipendiary magistrates in Pabna, 240.
Defamation cases against newspapers, 298.
Depressed classes in Pabna, 151.
Details about Pabna guru-training school, 19.
Details about primary schools for boys and girls in Pabna, 18.
Details of political offences in Pabna, 29.
Deterioration of health of the town of Comilla, 145.
Diet allowance for Indian patients in hospitals in Pabna, 317.
Diet money for witnesses in suits in Tippera and Pabna, 16.
District Agricultural Officer, Pabna, 223.
District Board grants to Union Committees in Pabna, 504.
District Boards with official Chairman, 362.
Education amongst depressed classes, 296.
Education charges of the Pabna District Board, 20.
Educational officers in Pabna, 318.
Election expenses of local bodies in Pabna, 373.
Embankments in Mohari river in Noakhali, 430.

Haq, Shah Syed Emdadul

Excavation and re-excavation of tanks in Pabna, 561.
Excise in Pabna and Tippera, 27.
Expenditure in combating malaria in Pabna, 562.
Expenditure on police in Pabna and Tippera, 40.
Expenses of boat hire for services of processes of civil courts within the municipal areas of Pabna-Bogra, 488.
Facilities to patients for anti-rabic treatment, 491
Fees for mutation of names in Khas Mahal of Pabna, 28.
Fire-arms in the Pabna district, 80.
Final forecast of the winter crop of certain districts, 155
Fish supply of Pabna, 366.
Flogging in jails, 364.
Free and half-free studentships in Noakhali, Pabna and Tippera, 19.
Gambling in Pabna, 33.
Government grant to dispensaries in Pabna, 157
Government grant to the Pabna Hospital, 502.
Government income from Tippera and Pabna districts under the head of Administration of Justice, 147.
Government recognition of charitable societies, 237.
Grants-in-aid to Edward College, Pabna, 77.
Grants-in-aid to European and Indian high schools at Kharagpur, 10.
Grievances of passengers on the Assam-Bengal Railway, 223
Handloom industries in Bengal, 370.
Honoraria to officials during His Royal Highness the Prince of Wales' visit to Calcutta, 81.
Honorary and stipendiary magistrates, 367.
Honorary magistrates in Pabna, 15.
Honorary magistrates of Pabna, 490.
Impending famine in Pabna, 295.
Income and expenditure for keeping separate accounts of land revenue in Noakhali, Pabna and Tippera, 25.
Inconvenience of passengers at the ticket windows at Howrah, Sealdah and Naihati, 224.
Indian Educational Service, 226

Haq, Shah Syed Emdadul

Interviews to the political prisoners in Pabna Jail, 149.
Increase in drunkenness, 86.
Investment of powers of Union Courts to the Union Boards of the Tippera Sadar Subdivision, 83.
Inspection of the courts of the Pabna district by the Hon'ble Judges of the High Court, 146.
Ishurdi-Sadhuganj railway project, 294
Joysagar tank in Sirajganj (Pabna), 209.
Jute, cotton, rice and oil seeds in Pabna and Tippera, 30.
Latrine arrangements in local trains of the Eastern Bengal Railway, 294.
Launch of the Superintendent of Police, Pabna, 37
Licenses for fire-arms in Pabna, 36.
Liquor shops in Pabna and Tippera, 34
Loans for agricultural improvements in Pabna and elsewhere, 28.
Loans to Pabna Municipality and District Board for water-supply, 363.
Maintenance charges of Gumti Embankment, 498
Maximum number of votes for election to Local Boards, 239.
Means of communication in Pabna, 507.
Medical practitioners in Pabna, 224.
Middle Class Unemployment Committee, 369.
Missing of records from the office of the Sirajganj Munsifi's Court, 509.
Mosquitoes in Pabna, 220.
New Jhargram subdivision in Midnapore, 501.
Newspapers allowed to political prisoners in Pabna Jail, 154.
Non-co-operation movement in Pabna, 488.
North Bengal flood, 26.
Number of litigation cases in districts where survey and settlement operations have commenced or completed, 38.
Number of municipalities and population of Bengal according to the Census of 1921, 116.
Number of patients treated in the charitable dispensaries in Pabna, 502.
Number of police in Pabna and Tippera, 39.

Haq, Shah Syed Emdadul

Number of primary and middle schools in Pabna and Tippera, 17.

Number of schools and colleges having provisions for agricultural training, 144.

Number of schools for girls in Pabna and Tippera 17.

Number of schools in Pabna managed by Muhammadans, 17.

Number of suits, criminal cases and appeals in Pabna, 13.

Number of voters of several Legislatures in Bogra and Pabna, 23.

Officers of the Pabna district getting revised salaries since 1919, 4.

Outbreaks of cholera in Pabna owing to scarcity of drinking water, 365

Pabna and Tippera agricultural farms, 220.

Pabna-Bogra settlement, 31.

Pabna District Board's opinion on the utility of medical relief by employing peripatetic village practitioners, 147.

Pabna District Board Relief Committee, 492

Pabna-Mathura and Khalishpur-Satbaria roads, 494

Pabna Municipality, 310

Paddy in Pabna, 24

"Panchayeti" system in Pabna, 152.

Panchayeti Union primary schools, 568.

Passages from the Bible for University examinations, 297

Pasture lands in the districts of Noakhali, Tippera and Pabna, 143.

Pay and allowances of officers in Pabna, 225.

Pay of the Health Officer of Pabna, 562.

Payment of pensions through post offices, 83.

Periodicals in Bengal, 299

Persons dealt with under section 144(1), Criminal Procedure Code, in Pabna, 35.

Phthisis patients, 486.

Picketing, 308.

Picketing cases against certain persons in Burdwan, 431.

Pleaders and mukhtears in Tippera and Pabna, 16.

Police Department, 313.

Haq, Shah Syed Emdadul

Police search of the Pabna District Congress Committee office and houses of Congerss leaders, 137.

Police strength in Pabna and Tippera, 37.

Political prisoners in Pabna Jail, 32, 240.

Population in Bengal, 136.

Posting of judicial and executive officers to their home districts or to places in which they have got landed properties, 428.

"Post mortem" examination of the bodies of deceased prisoners, 142.

Primary education in Pabna, 470.

Primary education in Tippera, 20.

Primary schools in Tippera and Pabna, 41.

Prisoners in jails, 318.

Process-servers, 311

Projects of the Sanitary Board, 477.

Protective works of Pabna town, 359.

Publication of Government advertisements in the "Sanjivani," 503.

Public Works Department roads within the Municipalities of Pabna and Tippera, 512.

Racial distinction in India, 142.

Railway Advisory Committee for Bengal, 227

Receipts from stamps in Pabna due to new Stamps and Court-fee laws, 227.

Reclamation of bils of Pabna and Tippera, 485

Recording of votes in election under Bengal Act III of 1885, 153.

Recruitment to Judicial Service by competitive examination, 238.

Reduction of the area of Sujanagar police-station, 82.

Registration of births and deaths in the mufassal, 156.

Relief operations in flood-stricken areas in North Bengal, 472

Retrenchment Committee's Report, 349.

Retrenchment in various departments, 279.

Revenue demand of the Pabna district, 155.

Revenue derived from gun license fees in the district of Pabna, 152.

River dacoities in Bengal, 35.

River stations of the Joint Steamer Companies, 34.

Haq, Shah Syed Emdadul

Road cess and Government revenue in the Pabna district, 35.
Rules for the preparation of paper-books in appeals, 567.
Running train outrages and robbery in female compartments, 298.
Sale of judicial and non-judicial stamps in Noakhali, Pabna and Tippera, 29.
Sales of occupancy holdings in Pabna and Tippera, 25.
Sale of properties in default of public demands in Pabna and Tippera, 32.
Sale of quinine through post offices, 571.
Sale of the Jail Manual to the general public, 79.
Sanitary drainage schemes of Noakhali, Pabna and Tippera, 494.
Sara-Sirajganj Railway, 309.
Scarcity of drinking water in Pabna, 493.
Scheme of free primary education, 151.
Schemes of primary education submitted by local bodies, 4.
Schools and school-going population of Pabna and Tippera, 16.
Settlement operations in Pabna, 486.
Sheriffs and Deputy Sheriffs of Calcutta, 509.
Silting up of canals and waterways in Pabna district, 81.
Sirajganj-Bogra Railway project, 317.
Special class prisoners in Dacca Jail, 569.
Stamp revenue in Pabna from the new taxes, 228.
Subscription raised in Pabna for reception of His Royal Highness the Prince of Wales, 487.
Sugarcane and cotton cultivation, 227.
Suits by landlords against their tenants for cutting down trees, 14.
Supply of good drinking water in Pabna, 563.
Teaching of improved methods of cultivation to cultivators, 220.
Telegraph office at Sujanajar, 374.
Thanas without telegraph office and Unions without post office, 28.
Tôla, madrassas and maktabs in Pabna and Tippera, 19
Tramway strike, 221.
Transfer of cases from the files of subdivisional officers of Pabna, 15.

Haq, Shah Syed Emdadul

Transfer of certain villages to Sujanagar police-station, 143.
Travelling allowance to Deputy Superintendents of Police in charge of subdivisions, 148.
Travelling charges of the Deputy Director of Agriculture, Rajshahi Circle, 22.
Travelling expenses of officers of the Education Department in Pabna, 4.
Treatment of political prisoners in Great Britain and in Bengal, 149.
Typists and copyists in courts in Bengal, 156.
Uniforms to dafadars and chaukidars of Pabna and Tippera, 38.
Unpassed compounders practising medicine in Pabna, 33.
Village dispensaries in Pabna, 222.
Visit of the Executive Engineer of Rajshahi to Pabna, 152.
Voters' for local Legislative Council for Bogra and Pabna, 23.
Waiting sheds at East Bengal river stations, 587.

Health Officer

Pay of the—of Pabna, 562.

Health Officers of District Boards, 214.

High schools

Applications for grants for, 559

Hijli

Proposed subdivision in Midnapore with headquarters at, 219.

Hogg Market

Acquisition of No. 16, Dutt Lane, for extension of Sir Stuart, 432.

Honoraria to officials during His Royal Highness the Prince of Wales' visit to Calcutta, 81.

Honorary magistrates of Pabna, 15, 490.

Hornell, Mr. W. W.

Calcutta University, 246.

Howrah-Burdwan Chord line

Subways under, 74.

Howrah Railway Station

Inconvenience to passengers at, 230

Huq, Maulvi Ekramul

Calcutta University, 255.
Goondas Bill, 1922, 406, 411.
Retrenchment Committee's Report, 347.

Hussain, Maulvi Muhammad Madassur

Retrenchment Committee's Report, 350.

Improvement Trust

Posts of Judicial Commissioners of the, 558

Income

Government from Tippera and Pabna districts under the head of Administration of Justice, 147

Indian Education Service, 226.

Influenza in Bengal, 66

Ishurdi-Sadhuganj Railway project, 284

Jail Manual

Sale of the—to the general public, 79

Jails

Racial distinctions in, 142

Jails and jail gardens, 219

Joint Steamer Companies

River stations of the, 34.

Joysagar Tank in Sirajganj, 269

Judicial and executive functions, 56.

Judicial officers

Transfers and postings of, 485

Jute, cotton, rice and oil-seeds in Pabna and Tippera, 30.

Kala-azar

Medical men to inquire into the prevalence of—in the Hooghly district, 151.

Karatoya River

Improvement of the, 321.

Karim, Maulvi Fazlal

Chaukidari fines and rewards, 228.
Enlisted peons in Bakarganj Civil Courts, 66.
Inconvenience of school-going people of Patuakhali owing to inadequate means of communication, 67.

Karim, Maulvi Fazlal

Influenza in Bengal, 66
Pay of Sub-Registrars, 314.
Sale proceeds of unclaimed properties, 495.

Khaitan, Babu Debi Prosad

Calcutta Rent (Amendment) Bill, 1923, 534
Standing Committee of Commerce and Marine, 68.

Khan, Maulvi Hamid-ud-din

Bengal Judicial Service, 229
Improvement of the Karatoya River, 326
Ministerial officers in court in Rangpur, 374.

Khan, Mr. Razaur Rahman

Retrenchment Committee's Report, 347.

Kharagpur

Grants in aid to European and Indian high schools at, 10

Khedda operations in Chittagong and Chittagong Hill Tracts, 282

Khulna

Charges of corruption against Subdivisional Officer of, 231.

Khulna railway and steamer stations, 320.

Khulna Sundarbans Forest, 215.

Kidderpore

Dehousing of Indian workmen in, 235.

Kidderpore Bridge

Delay in the reconstruction of the, 287.

Kishoreganj

Excavation of a tank in—in connection with the scheme of partition of Mymensingh, 477.

Land revenue

Income and expenditure for keeping separate accounts of—in Noakhali, Pabna and Tippera, 25.

Langford James, Mr. R. H. L.

British Empire Exhibition, 95.

Haq, Shah Syed Emdadul

Road cess and Government revenue in the Pabna district, 35.
Rules for the preparation of paper-books in appeals, 567.
Running train outrages and robbery in female compartments, 298.
Sale of judicial and non-judicial stamps in Noakhali, Pabna and Tippera, 29.
Sales of occupancy holdings in Pabna and Tippera, 25.
Sale of properties in default of public demands in Pabna and Tippera, 32
Sale of quinine through post offices, 571.
Sale of the Jail Manual to the general public, 79.
Sanitary drainage schemes of Noakhali, Pabna and Tippera, 494.
Sara-Sirajganj Railway, 309.
Scarcity of drinking water in Pabna, 493.
Scheme of free primary education, 151.
Schemes of primary education submitted by local bodies, 4.
Schools and school-going population of Pabna and Tippera, 16.
Settlement operations in Pabna, 486.
Sheriffs and Deputy Sheriffs of Calcutta, 509.
Silting up of canals and waterways in Pabna district, 81.
Sirajganj-Bogra Railway project, 317.
Special class prisoners in Dacca Jail, 569.
Stamp revenue in Pabna from the new taxes, 228.
Subscription raised in Pabna for reception of His Royal Highness the Prince of Wales, 487.
Sugarcane and cotton cultivation, 227.
Suits by landlords against their tenants for cutting down trees, 14.
Supply of good drinking water in Pabna, 563.
Teaching of improved methods of cultivation to cultivators, 220.
Telegraph office at Sujanagar, 374.
Thanas without telegraph office and Unions without post office, 28.
Tôls, madrassas and maktabs in Pabna and Tippera, 19
Tramway strike, 221.
Transfer of cases from the files of subdivisional officers of Pabna, 15.

Haq, Shah Syed Emdadul

Transfer of certain villages to Sujanagar police-station, 143.
Travelling allowance to Deputy Superintendents of Police in charge of subdivisions, 148.
Travelling charges of the Deputy Director of Agriculture, Rajshahi Circle, 22.
Travelling expenses of officers of the Education Department in Pabna, 4.
Treatment of political prisoners in Great Britain and in Bengal, 149.
Typists and copyists in courts in Bengal, 156.
Uniforms to dafadars and chaukidars of Pabna and Tippera, 38.
Unpassed compounders practising medicine in Pabna, 33.
Village dispensaries in Pabna, 222.
Visit of the Executive Engineer of Rajshahi to Pabna, 152.
Voters for local Legislative Council for Bogra and Pabna, 23.
Waiting sheds at East Bengal river stations, 587

Health Officer

Pay of the of Pabna, 562

Health Officers of District Boards, 211.

High schools

Applications for grants for, 559

Hijli

Proposed subdivision in Midnapore with headquarters at, 219.

Hogg Market

Acquisition of No. 16, Dutt Lane, for extension of Sir Stuart, 432.

Honoraria to officials during His Royal Highness the Prince of Wales' visit to Calcutta, 81.

Honorary magistrates of Pabna, 15, 490.

Hornell, Mr. W. W.

Calcutta University, 246.

Howrah-Burdwan Chord line

Subways under, 74.

Howrah Railway Station

Inconvenience to passengers at, 230

Huq, Maulvi Ehramul

Calcutta University, 255.
Goondas Bill, 1922, 406, 411.
Retrenchment Committee's Report, 347.

Hussain, Maulvi Muhammad Madassur

Retrenchment Committee's Report, 350.

Improvement Trust

Posts of Judicial Commissioners of the, 558

Income

Government—from Tippera and Pabna districts under the head of Administration of Justice, 117.

Indian Education Service, 226.

Influenza in Bengal, 66

Ishurdi-Sadhuganj Railway project, 294.

Jail Manual

Sale of the—to the general public, 79

Jails

Racial distinctions in, 112

Jails and jail gardens, 219

Joint Steamer Companies

River stations of the, 34.

Joysagar Tank in Sirajganj, 209.

Judicial and executive functions, 56.

Judicial officers

Transfers and postings of, 485

Jute, cotton, rice and oil-seeds in Pabna and Tippera, 30.

Kala-azar

Medical men to inquire into the prevalence of—in the Hooghly district, 151.

Karatoya River

Improvement of the, 324.

Karim, Maulvi Fazlal

Chaukidari fines and rewards, 228.
Enlisted peons in Bakarganj Civil Courts, 66.
Inconvenience of school-going people of Patuakhali owing to inadequate means of communication, 67.

Karim, Maulvi Fazlal

Influenza in Bengal, 66
Pay of Sub-Registrars, 311.
Sale proceeds of unclaimed properties, 495.

Khaitan, Babu Debi Prosad

Calcutta Rent (Amendment) Bill, 1923, 534
Standing Committee of Commerce and Marine, 68

Khan, Maulvi Hamid-ud-din

Bengal Judicial Service, 229
Improvement of the Karatoya River, 326
Ministerial officers in court in Rangpur, 374.

Khan, Mr. Razaur Rahman

Retrenchment Committee's Report, 347.

Kharagpur

Grants in aid to European and Indian high schools at, 10.

Khedda operations in Chittagong and Chittagong Hill Tracts, 282

Khulna

Charges of corruption against Subdivisional Officer of, 231.

Khulna railway and steamer stations, 320

Khulna Sundarbans Forest, 215.

Kidderpore

Dehousing of Indian workmen in, 235.

Kidderpore Bridge

Delay in the reconstruction of the, 287.

Kishoreganj

Excavation of a tank in—in connection with the scheme of partition of Mymensingh, 477.

Land revenue

Income and expenditure for keeping separate accounts of—in Noakhali, Pabna and Tippera, 25

Langford James, Mr. R. H. L.

British Empire Exhibition, 95.

Law, Raja Rishee Case

Calcutta Rent (Amendment) Bill, 1923, 519, 524, 538.

Licenses for arms

Conditions imposed when granting, 155.

License for fire-arms in Pabna, 36.

Life offices and alleged differential treatment of Indians and Europeans, 429.

Litigation cases

Number of—in districts where survey and settlement operations have commenced or completed, 38.

Liquor

Consumption of—and revenue derived therefrom in the districts of Pabna and Tippera, 85.

Liquor shops in Pabna and Tippera, 34.

Loans for agricultural improvements in Pabna and elsewhere, 28.

Loans to Pabna Municipality and District Board for water-supply, 363.

Local Self-Government Act

Amendment of the, 372.

Local Self-Government (Amendment) Bill and Public Health Bill, 497.

Madaripur Bil route canal embankment, 316.

Magistrates

Decrease of work of stipendiary—in Pabna, 240.

Honorary and stipendiary, 367.

Maharajadhiraja Bahadur of Burdwan, the Hon'ble the

Acquisition of land for residential quarters for the Collector of Pabna, 158.

Baral river, 310, 369.

Batwara fees and landlords' fees in Noakhali, Pabna and Tippera, 223.

Boundary dispute cases of Pabna and Bogra, 500.

Calcutta Rent (Amendment) Bill, 1923, 518.

Choked up waterways in Bengal, 24.

Committee to inquire into the question of North Bengal floods, 431.

Maharajadhiraja Bahadur of Burdwan the Hon'ble the

Construction of culverts and waterways in North Bengal, 490.

Cost of settlement buildings in Pabna-Bogra districts, 86.

Cost of survey and settlement operations in Pabna-Bogra districts, 150.

Damodar floods, 214.

Deforesting areas near about the shrines of Chandranath and Shombhunath in Chittagong, 219.

Delay in the construction of the Kidderpore Bridge, 287

Demand for grant—Land Improvement and Agriculturists' Loans Act, 115.

District Boards with official Chairman, 363.

Drains and drainage works, 243

Embankments on Mohari river in Noakhali, 430.

Exemption of cess charges in respect of petty revenue-free lands, 301.

Fees for mutation of names in Khas Mahal of Pabna, 28.

Impending famine in Pabna, 296.

Improvement of the Karatoya River, 326.

Income and expenditure for keeping separate accounts of land revenue in Noakhali, Pabna and Tippera, 25.

Khedda operations in Chittagong and Chittagong Hill Tracts, 283.

Khulna Sunderbans Forest, 215.

Loans for agricultural improvements in Pabna and elsewhere, 28

Madaripur Bil route canal embankment, 316.

Maintenance charges of Gumti embankment, 499

Natural slopes within the railway area in North Bengal, 9.

North Bengal flood, 26.

Number of litigation cases in districts where survey and settlement operations have commenced or completed, 39.

Pabna-Bogra settlement, 31.

Pabna District Flood Relief Committee, 493.

Pasture lands in the districts of Noakhali, Tippera and Pabna, 143.

Quinine from Darjeeling factory, 291.

Receipts and expenses under revenue head XIII, 218.

Maharajadhiraja Bahadur of Burdwan the Hon'ble the

Relief operations in flood-stricken areas in North Bengal, 473.
Revenue demand of the Pabna district, 155.
Road cess and Government revenue in the Pabna district, 36.
Sales of occupancy holdings in Pabna and Tippera, 25.
Sale of properties in default of public demands in Pabna and Tippera, 32.
Saraswati river, 320
Settlement operations in Pabna, 486
Silting up of canals and waterways in Pabna district, 81.
Silting up of the Saraswati river and the insanitary conditions of Saptee-gram in Hooghly, 478.
Subhankari irrigation scheme in Vishnupur, 237
Suits by landlords against their tenants for cutting down trees, 15
Survey of the waterways from Sandia-ghat to Talma viz., Bhanga, 481
Tetulia-Sripur Khal and Madaripur Bil Route canal embankment, 59
Tolly's Nala, 316
Visit of the Executive Engineer of Rajshahi to Pabna, 152
Works of river improvement, 32.
Zamindars enjoying the privilege of realising rent by the certificate procedure, 208

Makramali, Munshi

Erosion of Noakhali town, 563, 564.

Malaria in Kishoreganj town, 558.

Mala nurses

Scheme of training, 229.

Mallik, Babu Surendra Nath

Amendment of Standing Orders, 115, 139.
British Empire Exhibition, 102.
Calcutta Rent (Amendment) Bill, 1923, 527, 530, 531, 545.
Calcutta University, 171, 201, 250, 259, 264.
Calcutta University Bill, 1923, 591.
Goondas Bill, 1922, 380, 386, 389, 393, 401, 412.
Retrenchment Committee's Report, 333, 335, 353.

Marr, Mr. A.

Amendment of Standing Orders, 124, 128
Monopoly of tramway service in Calcutta, 477.
Revenue derived from new taxation measures and expenditure thereof, 556
Revised estimate of expenditure and income of Government for the year 1923-24, 561.
Strength of the factory inspecting staff, 505.
Waiting sheds at East Bengal river stations, 507.

Medical arrangements for tea garden coolies at certain rest-houses, 242.

Medical help

Gratuities—and medicines to Government servants, 75.

Medical men to inquire into the prevalence of Kala-azar in the Hooghly district, 154.

Medical practitioners in Pabna, 224.

Medical relief

Pabna District Board's opinion on the utility of—by employing peripatetic village practitioners, 147.

Medical School at Chittagong, 276, 323.

Meetings

Alteration in dates of, 277.

Midnapore

New Jhargram subdivision in, 501.

Ministerial officers

Pay of, 66.

Ministerial officers in Courts in Rangpur, 374.

Ministerial officers of the Education Department, 277, 288.

Mitra, Rai Bahadur Mahendra Chandra

Assistant Director of Public Health, Industrial Area, in the 24-Parganas, 70.
British Empire Exhibition, 107.
Calcutta University, 269.

Mitra, Rai Bahadur Mahendra Chandra

Commercial and technical schools, 229.
Inquiry into the question of septic tanks, 73.
Inspector of Septic Tanks, 72.
Medical men to inquire into the prevalence of Kala-azar in the Hooghly district; 154.
Non-co-operator prisoner Babu Purna Chandra Das in Dacca Jail, 69.
Proceedings initiated by Sadar Subdivisional Officer, Pabna, against Baba Gopal Chandra Sarkar, 70.
Scheme of training male nurses, 229.
Septic tank effluents in the Hooghly, 71.
Sub-ways under Howrah-Burdwan Chord Line, 74.
Veterinary Assistants, 314

Mitter, the Hon'ble Mr. P. C.

Admission to Bengal Engineering College, 570.
Alleged raising of subscriptions in certain sub-registry offices in Pabna, 42.
Ancient buildings in Pabna district, 212.
Applications for grants for high schools, 560.
Audit of the accounts of public bodies receiving Government grants, 294.
Audit report of account of Calcutta University, 158.
Calcutta Rent (Amendment) Bill, 1923, 551, 580
Calcutta University, 187, 194, 196, 205, 268, 274, 275.
Calcutta University deficit and Government grant, 141.
Dacca Madrassa, 54.
David Hare Training College and Dacca Training College, 567.
Details about Pabna Guru Training School, 19.
Details about primary schools for boys and girls in Pabna, 18.
Education amongst depressed classes, 296.
Education charges of the Pabna District Board, 20.
Educational officers in Pabna, 318.
Financial assistance to Patrasayar High School in Bankura, 484
Free and half-free studentships in Noakhali, Pabna and Tippera, 20.
Grants-in-aid to Edward College, Pabna, 78.

Mitter, the Hon'ble Mr. P. C

Grants-in-aid to European and Indian high schools at Kharagpur, 10.
Grant of Rs. 2,50,000 to Calcutta University, 361.
Grant to Calcutta University, 279.
High schools in Bakarganj and Dacca managed by Namasudras and students of backward classes, 362.
Inconvenience of school-going people of Patuakhali owing to inadequate means of communication, 68.
Indian Educational Service, 226.
Joysagar Tank in Sirajganj, 209.
Ministerial officers of the Education Department, 278, 288.
Muhammadans in the office of the Inspectress of Schools, Dacca Circle, 46.
Number of primary and middle schools in Pabna and Tippera, 17.
Number of schools and colleges having provisions for agricultural training, 144.
Number of schools for girls in Pabna and Tippera, 18
Number of schools in Pabna managed by Muhammadans, 17.
Panchayati Union primary schools, 568.
Passages from the Bible for University examinations, 298.
Pay and provident funds for teachers of aided girls' schools, 291.
Pay of Registrars and Sub-Registrars, 216
Pay of Sub-Registrars, 314.
Primary education in Pabna, 471.
Primary education in Tippera, 20.
Primary schools in Tippera and Pabna, 41.
Provident Fund for teachers, 231.
Purposes for the grant of about 1¼ lakhs to Calcutta University, 292.
Ratio between the inspecting officers and teachers, 506.
Reconstruction of the Calcutta University, 289.
Scheme for vocational education, 559.
Scheme of free primary education, 151.
Schemes of primary education submitted by local bodies 4.
Schools and school-going population of Pabna and Tippera, 17.
Subordinate Educational Service, 57.

Mitter, the Hon'ble Mr. P. C

Teaching of Science in Ananda Mohan College, Mymensingh, 282.
Tôls, madrassas and maktabs in Pabna and Tippera, 19.
Travelling expenses of officers of the Education Department in Pabna, 1.

Moitra, Dr. Jatindra Nath

Anti-malarial works of District Boards, 565.
British Empire Exhibition, 100.
Calcutta Rent (Amendment) Bill, 1923, 527
Calcutta University, 202, 203, 204, 205, 257.
Examination of official and non-officials by the Retrenchment Committee, 230.
Gratuitous medical help and medicines to government servants, 75, 77.

Mosquitoes in Pabna, 220.

Muhammadans in the office of the Inspectress of Schools, Dacca Circle, 45.

Muhammadan Subdivisional Officers, 5

Mukherjee, Babu Nitya Dhon

British Empire Exhibition, 103
Goondas Bill, 1922, 381, 392, 399, 401, 419, 442, 458.

Mukharji, Babu Satish Chandra

British Empire Exhibition, 108.
Courts of Additional District Judges and Sub-Judges at stations other than headquarters towns, 495.
Inconvenience to passengers at Howrah Railway Station, 230.
Municipal Account Rules—Cheques, 571.
Saraswati river, 320.

Mukherji, Professor S. C.

Amendment of Standing Orders, 118, 119, 126, 127, 131.
Calcutta Rent (Amendment) Bill, 1923, 546, 555.
Calcutta Suppression of Immoral Traffic Bill, 1923, 592, 593.
Calcutta University, 170, 171, 172.
Defamation suits against Mr. D. S Fraser, 213.
Retrenchment Committee's Report, 342

Mullick, Babu Nirode Behary

British Empire Exhibition, 95, 96.
Calcutta University, 248.
Elections to District Boards, 353, 354.
Goondas Bill, 1922, 423.
Retrenchment Committee's Report, 343.

Municipal Account Rules—Cheques, 571.

Municipalities

Number of according to the Census of 1921, 146

Nasker, Babu Hem Chandra

Bhatpara Municipality, 565.
Charges of corruption against Subdivisional Officer, of Khulna, 231.
Khulna railway and steamer stations, 320
Medical arrangements for tea garden coolies at certain rest-houses, 242.
Nomination of Rai Bahadur Syama Charan Bhattacharjee as Commissioner of Bhatpara Municipality, 231.
Provident Fund for teachers, 231.

Natural slopes within the railway area in North Bengal, 9

Newspapers

Refunds of securities to owners of, 233.

Newspapers allowed to political prisoners in Pabna Jail, 151.

Noakhali

Embankments on Mohari river in Noakhali, 430.

Noakhali town

Erosion of, 563.

Non-co-operation movement in Pabna, 488.

Nurses

Scheme for training—in S. R Hospital, Mymensingh, 475.

North Bengal flood, 26.

Oath, 1, 469.

Outbreak of diseases in flood-affected areas in North Bengal, 6.

Occupancy holdings

Sales of—in Pabna and Tippera, 25.

Pabna

Acquisition of land for residential quarters for the Collector of Pabna, 157.
Agricultural Department, 22.
Ancient buildings—district, 212.
Area under rice, sugarcane and cotton in, 27.
Cases of murder in, 39.
Co-operative societies in, 22.
Decrease of work of stipendiary magistrates in, 240
Depressed classes in, 151.
Details about—Guru-training Schools, 19.
Details about primary schools for boys and girls in, 18.
Details of political offences in, 29.
District Agricultural Officer, 223.
Education charges of the District Board, 20.
Establishment cost of the Public Works Department in, 508.
Excavation and re-excavation of tanks in, 561.
Excise in, 27.
Fees for mutation of names in Khas Mahal of, 28.
Fish supply of, 366.
Gambling in, 33.
Honorary Magistrates of, 490.
Impending famine in, 295.
Inspection of the Courts of the—district by the Hon'ble Judges of the High Court, 146.
Launch of the Superintendent of Police, 37.
Loans for agricultural improvements in—and elsewhere, 28.
Medical practitioners in, 224.
Number of schools in—managed by Muhammadans, 17.
Number of suits, criminal cases and appeals in, 13.
Officers of the district getting revised salaries since 1919, 4.
Paddy in, 24.
Pay and allowances of officers of, 225.
Pay of the Health Officer of, 562.
Political prisoners in—Jail, 32.
Proceedings initiated by Sadar Subdivisional Officer,—, against Babu Gopal Chandra Sarkar, 70.
Revenue demand of the—district, 155.
Settlement operations in, 486.

Pabna

Transfer of cases from the files of divisional officers of, 15.
Travelling expenses of officers of Education Department in, 4.
Unpassed compounders practising medicine in, 33.
Village dispensaries in, 222.
Water works scheme of the—municipality, 153.

Pabna-Bogra settlement, 31.

Pabna-Ishurdi Road

Culverts and bridges on, 492.

Pabna Jail

Interviews to the political prisoners in, 149.

Pabna-Mathura and Khalishpur-Satbaria roads, 494.

Pabna Municipality, 310

Paddy in Pabna, 21.

"Panchayati" system in Pabna, 152.

Panchayati Union primary schools, 568.

Panel

Appointment of—of Chairmen, 1.

Paper-books

Rules for the preparation of—in appeals, 567.

Passengers

Inconvenience of—at Dhakaria Station on the Eastern Bengal Railway, 218.
Inconvenience of—at the ticket windows at Howrah, Sealdah and Naihati, 224.

Pasture lands and breeding bulls in Pabna and Tippera, 222.

Pasture lands in the districts of Noakhali, Tippera and Pabna, 143.

Patuakhali

Inconvenience of school-going people of—owing to inadequate means of communication, 67.

Patrasayar High School

Financial assistance to—in Bankura, 484.

Pay and allowances of officers in Pabna, 225.

Pay of ministerial officers, 354.

Pay of Registrars and Sub-Registrars, 216.

Pensions

Payment of—through post offices, 83.

Periodicals in Bengal, 299.

"Pheeka" on milch cows, 287.

Phthisis patients, 486.

Picketing, 308.

Picketing cases against certain persons in Burdwan, 431.

Pleaders and mukhtears in Tippera and Pabna, 16.

Police

Expenditure on—in Pabna and Tippera, 40.

Number of—in Pabna and Tippera, 39.

Provincial—Service and number of Muhammadans therein, 306.

Statements of certain officers in the case of Sarat Chandra Dhar versus Sub-Inspector P. N. Mukharji of the Calcutta, 60.

Police Department, 313.

Appointments in the, 5.

Police search of the Pabna District Congress Committee office and houses of Congress leaders, 137.

Police strength in Pabna and Tippera, 37.

Political prisoners

Treatment of—in Great Britain and in Bengal, 149.

Political prisoners in Pabna Jail, 32, 240.

Population

Number of—of Bengal according to the Census of 1921, 146

Population in Bengal, 136.

Posting of judicial and executive officers to their home districts or to places in which they have got landed properties, 428.

"Post mortem" examination of the bodies of deceased prisoners, 142.

President

Alteration in dates of meetings, 277.

Amendment of Standing Orders, 117, 119, 122, 125, 129, 130.

Appointment of panel of Chairmen, 1.

Bengal Village Chaukidari (Amendment) Bill, 1925, 587.

Bengal Village Self-Government (Amendment) Bill, 1923, 511.

British Empire Exhibition, 88, 92, 94, 95, 100, 105, 113, 114

Calcutta Rent (Amendment) Bill, 1923, 517, 523, 524, 526, 540, 545, 547, 548, 579.

Calcutta Rent Bill, 1923, 161, 162.

Calcutta Suppression of Immoral Traffic Bill, 1923, 592, 593.

Calcutta University, 170, 171, 172, 177, 184, 186, 201, 204, 205, 206, 245, 250, 257, 259, 264, 265, 268, 269, 271.

Calcutta University Bill, 1923, 591.

Death of present and past Members of Council, 2.

Discussion of new rules of travelling and residential allowances, 427.

Goondas Bill, 1922, 377, 381, 384, 385, 393, 403, 405, 414, 415, 420, 422, 423, 427, 433, 435, 437, 444, 445, 446, 447, 449, 450, 455, 460, 461, 466, 467, 468.

Governor's assent to amended Standing Orders, 428.

Medical school at Chittagong, 322.

Non-official Member's Bills, 160.

Procedure relating to debates, 159.

Resolutions, 163.

Retrenchment Committee's Report, 328, 331, 334, 340, 351, 352, 353.

Sales of occupancy holdings in Pabna and Tippera, 25

University of Calcutta (Amendment) Bill, 1923, 587, 589.

Withdrawal of Resolution, 328.

President's address, 469.

Primary education

Schemes of—submitted by local bodies, 4.

Scheme of free, 151.

Primary education in Pabna, 170.

Primary education in Tippera, 20.

Prisoners in jails, 318.

Procedure relating to debates, 158.

Process-Servers, 311.

Promotion of Bengal Judicial Service men to listed posts, 216.

Protective works of Pabna town, 359.

Provident Fund for teachers, 231.

Publicity Department, 234.

Quinine

Sale of—through post-offices, 571.

Quinine from Darjeeling factory, 291.

Racial distinctions in jails, 142.

Rahim, the Hon'ble Sir Abd-ur-

Anglo-Indians and Small Causes Court Judgeships, 56.

Appointment of honorary magistrates, 238.

Appointment of probationers in the Judicial Department, 83.

Appointment of two retired officers as honorary magistrates of Pabna, 36.

Bengal Judicial Service, 229.

Bigamy cases in Pabna and Tippera, 13.

Case of one Sundar Ali, 312.

Courts of Additional District Judges and Sub-Judges at stations other than headquarters towns, 496.

Decrease of work of stipendiary magistrates in Pabna, 240.

Diet money for witnesses in suits in Tippera and Pabna, 16.

Electoral rolls and polling centres for Council election, 288.

Expenses in connection with the first general election of members of reformed Bengal Legislative Council, 43

Expenses of boat-hire for service of processes of civil courts within the municipal areas of Pabna-Bogra, 488

Government income from Tippera and Pabna districts under the head of Administration of Justice, 148.

Honorary and stipendiary magistrates, 367.

Honorary magistrates of Pabna, 15, 490.

Inspection of the courts of the Pabna district by the Hon'ble Judges of the High Court, 147.

Rahim, the Hon'ble Sir Abd-ur-

Investment of powers of Union Courts to the Union Boards of the Tippera Sadar Subdivision, 84.

Medical arrangements for tea-garden coolies at certain rest-houses, 242.

Ministerial officers in Courts in Rangpur, 374.

Missing of records from the office of the Sirajganj Munsif's Court, 509.

Number of suits, criminal cases and appeals in Pabna, 14.

Number of voters for several Legislatures in Bogra and Pabna, 23.

Pleaders and mukhtears in Tippera and Pabna, 16.

Population in Bengal, 136.

Process-servers, 311.

Recruitment to Judicial Service by competitive examinations, 238.

Residential quarters for the Chief Justice, 278.

Revision of the office of the Administrator-General, 372

Rules for the preparation of paper-books in appeals, 567.

Sale advertisements in local newspapers, 316.

Sheriffs and Deputy Sheriffs of Calcutta, 510.

Enlisted peons in Bakarganj Civil Courts, 66.

Transfer and postings of judicial officers, 485.

Transfer of cases from the files of Subdivisional Officers of Pabna, 15.

Typists and copyists in Courts in Bengal, 156.

Voters for Local Legislative Council for Bogra and Pabna, 24.

Rangpur

Ministerial officers in Courts, in, 374.

Ratio between the inspecting officers and teachers, 506.

Rauf, Maulvi Shah Abdur

Amendment of the Local Self-Government Act, 372.

Health Officers of District Boards, 214.

Retrenchment Committee's Report, 348.

Ray Chaudhuri, Babu Brojendra Kishore

Bengali publications proscribed by the Government of Bengal, 225.
Discharge of septic tank effluents into the Ganges, 233.
Financial help to indigenous industrial concerns, 232.
Refunds of securities to owners of newspapers, 234.
Revision of the office of the Administrator-General, 372.

Ray Chaudhuri, Mr. Krishna Chandra

British Empire Exhibition, 99, 102.
Calcutta Rent (Amendment) Bill, 1924 542.
Goondas Bill, 1922, 396, 399

Ray Chaudhuri, Raja Manmatha Nath

Tangail Waterworks, 243.

Ray, Kumar Shib Shekhareswar

Amendment of Standing Orders, 119, 120, 122
British Empire Exhibition, 88, 103, 111.
Calcutta University, 251
Goondas Bill, 1922, 446, 447, 449, 450, 455, 458, 461
Improvement of the Karatoya River, 325
Retrenchment Committee's Reports 341.

Ray, Rai Bahadur Upendra Lal

Calcutta University 187.
Khedda operations in Chittagong and Chittagong Hill Tracts, 282
Salt congestion in Chittagong, 209

Ray, Babu Surendra Nath

Revenue derived from new taxation measures and expenditure thereof, 556.
Sale advertisements in local newspapers, 315.

Receipts and expenses under revenue head XIII, 217.

Recording of votes in election under Bengal Act III of 1885, 153.

Records

Missing of—from the office of the Sirajganj Munsif's Court, 509.

Recruitment of Judicial Service by competitive examination, 238.

Refunds of securities to owners of newspapers, 233.

Relief operations in flood-stricken areas in North Bengal, 172.

Registration of births and deaths in the mufassal, 156.

Residential quarters

Acquisition of land for for the Collector of Pabna, 157.

Residential quarters for the Chief Justice, 278.

Resolutions, 163.

Retrenchment Committee

Examination of officials and non-officials by the, 230
Report of the Bengal, 244.

Retrenchment Committee (Bengal), 241.

Retrenchment Committee's Report, 328

Retrenchment (Departmental), 286.

Retrenchment in various departments, 279.

Revenue demand of the Pabna district, 155.

Revenue derived from gun license fees in the district of Pabna, 152.

Revenue derived from new taxation measures and expenditure thereof, 556.

Revised estimate of expenditure and income of Government for the year 1923-24 560.

Revision of the office of the Administrator-General, 372

River dacoities in Bengal, 35

River improvement

Works of, 31.

River stations of the Joint Steamer Companies, 34.

Road cess and Government revenue in the Pabna district, 35

Roads

Public Works Department—within the Municipalities of Pabna and Tippera, 312.

Roy, Babu Jogendra Nath

British Empire Exhibition, 108.
Calcutta Rent (Amendment) Bill, 1923, 536.
Case of one Jatindra Nath Dhari, 281.
Publicity Department, 234.
Report of the Bengal Retrenchment Committee, 244.
Sale advertisements in local newspapers, 815.
Thana and village dispensaries, 476.
Water scarcity in Dacca Division, 234.

Roy, Mr. Tarit Bhusan

Scarcity of drinking water in Dacca and Mymensingh, 235.

Roy, Babu Nalini Nath

Calcutta Rent ((Amendment) Bill, 1923, 547, 548.
Drainage schemes, 496.
Exemption of cess charges in respect of petty revenue-free lands, 301.
Reduction of spans on the Eastern Bengal Railway line from Nator to Santahar, 209.

Roy, Mr. Bijoy Proeda Singh

Anti-malarial scheme, 211.
Bengal Village Self-Government (Amendment) Bill, 1922, 162, 587.
Goondas Bill, 1922, 434, 448.

Roy, Rai Bahadur Lalit Mohan Singh

Admission to Bengal Engineering College, 570.
Calcutta Research Tannery, 321.
Conviction of goondas, 475.
Date-sugar industry, 301.
Drains and drainage works, 243
Grand Trunk Road from Howrah to Burdwan, 360.
Posts of Judicial Commissioners of the Improvement Trust, 558.
Reserved seats in the Calcutta Medical College, 210.
Scheme for tube wells for supply of drinking water to riparian municipalities of Hooghly and Howrah, 557.
Scheme for vocational education, 559.
Tramway strike, 210.

Roy, Raja Manilall Singh

Blocking up of the mouth of the river Bammda, 302.
Goondas Bill, 1922, 406, 407, 408.

Sale of judicial and non-judicial stamps in Noakhali, Pabna and Tippera, 29

Sale of properties in default of public demands in Pabna and Tippera, 32.

Sale proceeds of unclaimed properties, 495.

Saline injection

Appliances for—in cholera cases, 86.

Salt, 217.

Salt congestion in Chittagong, 209.

Sanitary drainage schemes of Noakhali, Pabna and Tippera, 494.

Sanitary Board

Projects of the, 477.

"Sanjivani"

Publication of Government advertisements in the, 503.

Sara-Sirajganj Railway, 309.

Saraswati

Silting up of the—river and the insanitary condition of Saptagram in Hooghly, 478.

Saraswati river, 320.

Sarkar, Babu Rishindra Nath

Audit report of accounts of Calcutta University, 158.
Calcutta University, 179, 184.

Schools

Commercial and technical, 229.
Commercial, industrial and technical, 217.
Details about primary—for boys and girls in Pabna, 18.
High—in Bakarganj and Dacca managed by Namasudras and students of backward classes, 362.
Number of primary and middle—in Pabna and Tippera, 17.
Number of—for girls in Pabna and Tippera, 17.
Number of—in Pabna managed by Muhammadans, 17.
Panchayoti Union primary, 568.
Primary—in Tippera and Pabna, 141.

Schools and school-going population of Pabna and Tippera, 16.

Septic tanks

Inquiry into the question of, 73.
Inspector of, 72.

Septic tank effluents

Discharge of—into the Ganges, 233.

Septic tank effluents in the Hooghly, 71.

Sericulture

Academic qualifications of the present Deputy Director of, 474.

Settlement buildings

Cost of—in Pabna-Bogra districts, 85.

Settlement operations in Pabna, 486.

Sheriffs and Deputy Sheriffs of Calcutta, 509.

Shrines

Deforesting areas near about the—of Chandranath and Shombhunath in Chittagong, 219.

Silting up of canals and waterways in Pabna district, 81.

Sirajganj-Bogra Railway project, 317.

Stamps

Receipts from—in Pabna due to new Stamp and Court-fee laws ,227.
Sale of judical and non-judicial—in Noakhali, Pabna and Tippera, 29.

Stamp revenue in Pabna from the new taxes, 228.

Standing Orders

Amendment of the, 116.

Stark, Mr. H. A.

Calcutta Rent (Amendment) Bill, 1923, 572.
European and Anglo-Indian unemployment, 505, 506

Statistics

Vital—of Vishnupur, 308.

Steam launch of Executive Engineer, Rajshahi Division, 469.

Stephenson, the Hon'ble Mr. H. L.

Alleged boycott of English cars in Calcutta, 490.
Allowances to All-India Services, 373.

Stephenson, the Hon'ble Mr. H. L.

Appointments in the Police Department, 5.
Assault on Jatindra Nath Dhari, 307.
Bengali publications proscribed by the Government of Bengal, 225.
Cases of murder in Pabna, 39.
Case of one Jatindra Nath Dhari, 281.
Charges of corruption against Subdivisional Officer of Khulna, 231.
Chaukidari fines and rewards, 228.
Chaukidari tax in Pabna, 38.
Communal representation in certain services, 5.
Competitive examination for the recruitment of certain services under Government, 508.
Conditions imposed when granting licenses for arms, 156.
Conviction of British subjects with forged currency notes in Tripura State, 21.
Conviction of goondas, 475.
Constables in Pabna, 151.
Contributions for supplying uniforms to chaukidars and dafadars by Union Boards and Union Committees, 150.
Cost of land and building for the proposed Bajitpur subdivision, 501.
Cost of the new subdivision of Jhargram, 501.
Council Secretaries, 207
Defalcations in the office of the Inspector-General of Police, 308.
Defamation cases against newspapers, 298.
Defamation suits against Mr. D. S. Fraser, 213.
Depressed classes in Pabna, 151.
Details of political offences in Pabna, 30.
Expenditure on police in Pabna or Tippera, 40
Fire-arms in the Pabna district, 80.
Flogging in jails, 364.
Gambling in Pabna, 33.
Goondas Bill, 1922, 375, 383, 386, 396, 402, 405, 406, 408, 423, 424, 434, 436, 437, 438, 442, 444, 447, 449, 453, 457, 458, 459, 460, 463, 464, 465, 466, 467, 469.
Goonda Department of the Calcutta Police, 61.

Stephenson, the Hon'ble Mr. H. L.

Gun-licenses for protection of crops in the mufassal, 281.

Honoraria to officials during His Royal Highness the Prince of Wales' visit to Calcutta, 81

Imposition of a police rate in Calcutta, 9.

Interviews to the political prisoners in Pabna Jail, 140.

Jails and jail gardens, 219.

Judicial and executive functions, 56.

Pabna, 37.

Launch of the Superintendent of Police, Pabna, 37.

Licenses for fire-arms in Pabna, 36.

Messrs Parrott and Farnell of Entally Riot Case, 56.

Muhammadan Subdivisional Officers, 6.

New Jhargram subdivision in Midnapore, 501.

Newspapers allowed to political prisoners in Pabna Jail, 154.

Non-co-operation movement in Pabna, 488.

Non-co-operator prisoner, Babu Purna Chandra Das, in Dacca Jail, 69.

Number of police in Pabna and Tippera, 39.

"Panchayets" system in Pabna, 152.

Periodicals in Bengal, 299.

Persons dealt with under section 144(1), Criminal Procedure Code, in Pabna, 35

"Phooka" on milch cows, 287.

Picketing, 309.

Picketing cases against certain persons in Burdwan, 431.

Police Department, 313.

Police-search of the Pabna District Congress Committee office and houses of Congress leaders, 138.

Police strength in Pabna and Tippera, 37.

Political prisoners in Pabna Jail, 33, 241.

Posting of judicial and executive officers to their home districts or to places in which they have got landed properties, 429.

Post mortem examination of the bodies of deceased prisoners, 142

Prisoners in jails, 318.

Stephenson, the Hon'ble Mr. H. L.

Proceedings initiated by Sadar Subdivisional Officer, Pabna, against Babu Gopal Chandra Sarkar, 70.

Promotion of Bengal Judicial Service men to listed posts, 216.

Proportion of Muhammadans in the Bengal Civil Service, 479.

Proposed subdivision in Midnapore with headquarters at Hijli, 219.

Provincial Police Service and number of Muhammadans therein, 306.

Publication of Government advertisements in the *Sanjivani*, 503.

Publicity Department, 234.

Racial distinctions in jails, 142.

Reduction of the area of Sujanagar police-station, 82.

Refunds of securities to owners of newspapers, 233.

Registration of births and deaths in the mufassal, 156.

Revenue derived from gun-license fees in the district of Pabna, 153.

River dacoities in Bengal, 35.

Running train outrages and robbery in female compartments, 298.

Sale of the Jail Manual to the general public, 80.

Sale proceeds of unclaimed properties, 495.

Special class prisoners in Dacca Jail, 570.

Statement of certain police officers in the case of Sarat Chandra Dhar *versus* Sub-Inspector P. N. Mukharji of the Calcutta Police, 60.

Subscription raised in Pabna for reception of His Royal Highness the Prince of Wales, 487.

Transfer of certain villages to Sujanagar police-station, 143.

Travelling allowance to Deputy Superintendents of Police in charge of subdivisions, 149.

Treatment of political prisoners in Great Britain and in Bengal, 149

Uniforms to dafadars and chaukidars of Pabna and Tippera, 38

Studentships

Free and half-free—in Noakhali, Pabna and Tippera, 19

Subordinate Educational Service, 56.

Subhankari irrigation scheme in Vishnupur (Bankura), 237.

Sub-Registrars
Pay of, 314.

Subscriptions
Alleged raising of—in certain sub-registry offices in Pabna, 41.

Subscription raised in Pabna for reception of His Royal Highness the Prince of Wales, 487.

Sub-ways under Howrah-Burdwan Chord line, 74.

Sugarcane and cotton cultivation, 227

Sugar manufacture
Improvement, 500.

Suhrawardy, Dr. A.
Calcutta University, 205.

Suhrawardy, Dr. Hassan
Bengal Cruelty to Animals (Amendment) Bill, 1923, 592
Calcutta University, 271.
Goondas Bill, 1922, 422.
Dehousing of Indian workmen in Kidderpore, 235.

Suhrawardy, Mr. Huseyn Shaheed
British Empire Exhibition, 95, 99.
Calcutta Rent (Amendment) Bill, 1923 530, 531, 575, 579, 580.
Goondas Bill, 1922, 413, 414, 416.

Suits by landlords against their tenants for cutting down trees, 14.

Sujanagar
Charitable dispensary at, 40.

Sujanagar police-station
Reduction of the area of, 82.
Transfer of certain villages to, 143.

Sundar Ali
Case of one, 311.

Survey and settlement
Cost of—operations in Pabna-Bogra districts, 150.

Tanks
Excavation and re-excavation of—in Pabna, 561.

Telegraph office at Sujanagar, 374.

Tetulia-Sripur Khal and Madaripur Bil route canal embankment, 59.

Thanas without telegraph office, 28.

Tippera
Excise in, 27.
Primary education in, 20.

Titagarh Sewerage scheme, 566.

Tôls, madrassas and maktabs in Pabna and Tippera, 19.

Tolly's Nala, 316.

Train outrages and robbery
Running in female compartments, 298.

Tram-cars
Begging and hawking in, 562.

Tramway Service
Monopoly of in Calcutta, 176

Tramway strike, 210, 215, 218, 221.

Transfers and postings of Judicial officers, 485

Travelling allowances of Deputy Commissioners of Excise, 12.

Travelling allowances of Deputy Superintendents of Police in charge of subdivisions, 148.

Travelling charges of the Deputy Director of Agriculture, Rajshahi Circle, 22.

Travelling expenses of officers of the Education Department in Pabna, 4.

Tripura State
Conviction of British subjects with forged currency notes in, 20.

Tube-wells
Scheme for—for supply of drinking water to riparian municipalities of Hooghly and Howrah, 557.

Typists and copyists in courts in Bengal, 156.

Uniforms to daffadars and chaukidars of Pabna and Tippera, 38.

Union Committees

District Board grants to—in Pabna, 504.

Union Courts

Investment of powers of—to the Union Boards of the Tippera Sadar Subdivision, 83.

Unions without post offices, 28.

Veterinary Assistants, 314.

Villiers, Mr. F. E. E.

Amendment of Standing Orders, 116, 117.
Calcutta Rent (Amendment) Bill, 1923, 543.
Calcutta University, 201, 202.
Goondas Bill, 1922, 418, 452.
Grand Trunk Road from Howrah to Burdwan, 361.
Retrenchment Committee's Report, 335.

Vishnupur Calcutta Chord Railway project, 215.

Vocational Education

Scheme for, 559.

Voters

Number of—for several Legislatures in Bogra and Pabna, 23.

Votes for election

Maximum number of—to Local Boards, 239.

Voters for local Legislative Council for Bogra and Pabna, 23.

Waiting sheds at East Bengal river stations, 507.

Water-Hyacinth Committee

Report of the, 430.

Water scarcity in Dacca Division, 234.

Water-supply

Filtered—to Baranagore Municipality. 58.

Waterway(s)

Survey of the—from Sandiaghat to Talna *via* Bhanga, 484.
Choked up—in Bengal, 124.

Waterworks scheme of the Pabna Municipality, 153.

Waterworks, Tangail, 243.

Weaving industries in Bengal, 480.

Withdrawal of Resolution, 328.

Zamindars enjoying the privilege of realizing rent by the certificate procedure, 207.

B. G. Press—6-2-1924—412M—1,600—C. C. C.